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TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

Subchapter C—Loans, Purchases, and Other Operations

[1952 CCC Grain Price Support Bulletin 1, Supp. 1, Wheat]

PART 601—GRAINS AND RELATED COMMODITIES

SUBPART—1952-CROP WHEAT LOAN AND PURCHASE AGREEMENT PROGRAM

A price support program has been announced for the 1952 crop of wheat. The 1952 CCC Grain Price Support Bulletin 1 (17 F. R. 3521), issued by the Commodity Credit Corporation and containing the general requirements with respect to price support operations for grains and related commodities produced in 1952, is supplemented as follows:

Sec.
601.1701 Purpose.
601.1702 Availability of price support.
601.1703 Eligible wheat.
601.1704 Warehouse receipts.
601.1705 Determination of quantity.
601.1706 Determination of quality.
601.1707 Maturity of loans.
601.1708 Determination of support rates.
601.1709 Warehouse charges.
601.1710 Settlement.

AUTHORITY: §§ 601.1701 to 601.1710 issued under sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup., 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 101, 401, 63 Stat. 1051, 1054; 15 U. S. C. Sup. 714c, 7 U. S. C. Sup. 1441, 1421.

§ 601.1701 *Purpose.* Sections 601.1701 to 601.1710 state additional specific requirements which, together with the general requirements contained in the 1952 CCC Grain Price Support Bulletin 1 (17 F. R. 3521) apply to loans and purchase agreements under the 1952-Crop Wheat Price Support Program.

§ 601.1702 *Availability of price support.*—(a) *Method of support.* Price support will be made available through farm-storage and warehouse-storage loans and through purchase agreements.

(b) *Area.* Farm-storage and warehouse-storage loans and purchase agreements will be available wherever wheat is grown in the continental United States except that farm-storage loans will not be available in areas where the PMA State committee determines that wheat cannot be safely stored on the farm.

(c) *Where to apply.* Application for price support should be made at the office of the PMA county committee which keeps the farm-program records for the farm.

(d) *When to apply.* Loans and purchase agreements will be available from the time of harvest through January 31, 1953, and the applicable documents must be signed by the producer and delivered to the county committee not later than such date.

(e) *Eligible producer.* An eligible producer shall be an individual, partnership, association, corporation, or other legal entity producing wheat in 1952 as landowner, landlord, tenant or sharecropper.

§ 601.1703 *Eligible wheat.* At the time the wheat is placed under loan or delivered under a purchase agreement, it must meet the following requirements:

(a) The wheat must have been produced in the continental United States in 1952 by an eligible producer.

(b) The beneficial interest in the wheat must be in the person tendering the wheat for loan or for delivery under a purchase agreement, and must always have been in him, or must have been in him and a former producer whom he succeeded before the wheat was harvested.

(c) Such wheat must be:

(1) Wheat of any class grading No. 3 or better; or

(2) Wheat of any class grading No. 4 or 5 on the factor of "test weight" and/or because of containing "Durum" and/or "Red Durum" but otherwise grading No. 3 or better; or

(3) Wheat of the class Mixed Wheat, consisting of mixtures of grades of eligible wheat as stated in subparagraphs (1)

(Continued on p. 3695)

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A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

CODIFICATION GUIDE—Con.

or (2) of this paragraph provided such mixtures are the natural products of the field.

(d) Wheat grading Tough, Weevily, Ergoty or Treated shall not be eligible, except that wheat represented by warehouse receipts grading tough will be eligible if the warehouseman certifies on the supplemental certificate or on a statement attached to the warehouse receipt "That wheat grading tough has been processed at the request of the eligible producer, and that delivery will be made of the same country-run quality, quantity, grade and protein (if any), not tough and no lien for processing will be claimed by the warehouseman from Commodity Credit Corporation or any subsequent holder of said warehouse receipt."

(e) Except as provided in paragraph (d) of this section wheat of the class hard red spring, durum, or red durum, shall not contain more than 14½ percent moisture, and wheat of any other class shall not contain more than 14 percent moisture.

(f) If offered as security for a farm-storage loan, the wheat must have been stored in the granary at least 30 days prior to its inspection for measurement, sampling, and sealing, unless otherwise approved by the PMA State committee.

§ 601.1704 *Warehouse receipts.* Warehouse receipts, representing wheat in approved warehouse storage to be placed under loan or delivered under a purchase agreement, must meet the following requirements of this section:

(a) Warehouse receipts must be issued in the name of the producer, must be properly endorsed in blank so as to vest title in the holder, and must be receipts issued by a warehouse approved by CCC under the Uniform Grain Storage Agreement which indicate that the wheat is insured, or must be receipts issued on warehouses operated by Eastern common carriers under tariffs approved by the Interstate Commerce Commission for which custodian agreements are in effect.

(b) Each warehouse receipt or the warehouseman's supplemental certificate (in duplicate) properly identified with the warehouse receipt must show: (1) Gross weight or bushels, (2) class and subclass, (3) grade (including special grades), (4) test weight, (5) dockage, (6) protein content (where determined by protein analysis or station average), and (7) any other grading factor(s) when such factor(s), and not test weight, determine the grade. Also, the warehouse receipt or the warehouseman's supplemental certificate must show whether the wheat arrived by rail, truck, or barge. In the case of warehouse receipts issued for wheat delivered by rail or barge, the grading factors, classes and subclasses, protein content (where determined by protein analysis) on the warehouse receipt must agree with the inbound inspection and protein certificates for the car or barge when such certificates are issued.

If the warehouseman has processed the wheat as provided in § 601.1703 (d), the supplemental certificate must show the numerical grade and the grading factors changed because of the wheat being processed. Where the grade and grading factors shown on the supplemental certificate do not agree with the warehouse receipt, the factors shown on the supplemental certificate shall take precedence.

(c) In the case of warehouse receipts issued for wheat delivered by rail or barge, the protein content, as determined by a recognized protein testing laboratory, must be shown on each warehouse receipt (or supplemental certificate accompanying the warehouse receipt) representing wheat of the subclasses of hard red spring and hard red winter and the varieties of Baart and Bluestem of the subclass hard white wheat, except that protein content need not be shown for the subclasses hard winter and yellow hard winter produced in States or areas tributary to markets where a showing of protein content is not customarily required.

(d) A separate warehouse receipt must be submitted for each grade and subclass of wheat.

(e) The warehouse receipt may be subject to liens for warehouse charges only to the extent indicated in § 601.1709.

(f) Warehouse receipts representing wheat which has been shipped by rail or water from a country shipping point to a designated terminal point, or

shipped by rail or water from a country shipping point to a storage point and stored in transit to a designated terminal point, must be accompanied by registered freight bills, or by a statement signed by the warehouseman which contains the following information and which may be part of the supplemental certificate:

The wheat represented by attached warehouse receipt No. _____ issued by _____ on warehouse located at _____ was received by rail freight from _____

_____ _____ _____
(Station) (County) (State)

point of origin as evidenced by freight bill described as follows:
Way-bill, date _____ No. _____
Car initials and No. _____
Freight bill, date _____ No. _____
Origin carrier _____
Full inbound route and junction points _____
_____
Transit weight _____
Freight rate in _____
Amount collected _____
Guaranteed transit balance, if any, of through freight to _____ of _____ per 100 pounds plus tax of _____
Number unused transit stops _____
Penalty, if any, to guarantee minimum proportional rate on outbound billing of _____ cents per 100 pounds _____
Where paid-in freight is based on other than domestic interstate freight rate basis, the difference in rates between the freight paid (plus tax), and the domestic interstate freight rate (plus tax), is _____.

The above-described paid freight bill has been officially registered for transit and will be held in accordance with the applicable provisions of the Uniform Grain Storage Agreement.

_____
(Warehouseman's signature)

_____
(Address)

_____
(Date of signature)

§ 601.1705 *Determination of quantity.* (a) The quantity of wheat placed under farm-storage loan may be determined either by weight or by measurement. The quantity of wheat placed under a warehouse-storage loan or delivered under a farm-storage loan or under a purchase agreement shall be determined by weight.

(b) When the quantity is determined by weight, a bushel shall be 60 pounds of wheat free of dockage. In determining the quantity of sacked wheat by weight, a deduction of ¾ of a pound for each sack shall be made.

(c) When the quantity of wheat is detirmined by measurement, a bushel shall be 1.25 cubic feet of wheat testing 60 pounds per bushel. The quantity determined shall be the following percentages of the quantity determined for 60 pound wheat:

For wheat testing	*Percent*
65 pounds or over	108
64 pounds or over, but less than 65 pounds	107
63 pounds or over, but less than 64 pounds	105
62 pounds or over, but less than 63 pounds	103
61 pounds or over, but less than 62 pounds	102
60 pounds or over, but less than 61 pounds	100
59 pounds or over, but less than 60 pounds	98
58 pounds or over, but less than 59 pounds	97
57 pounds or over, but less than 58 pounds	95
56 pounds or over, but less than 57 pounds	93
55 pounds or over, but less than 56 pounds	92
54 pounds or over, but less than 55 pounds	90
53 pounds or over, but less than 54 pounds	88
52 pounds or over, but less than 53 pounds	87
51 pounds or over, but less than 52 pounds	85
50 pounds or over, but less than 51 pounds	83

(d) The percentage of dockage shall be determined and the weight of such dockage shall be deducted from the gross weight of the wheat in determining the net quantity available for loan or purchase.

§ 601.1706 *Determination of quality.* (a) The class, subclass, grade, grading factors, and all other quality factors shall be determined in accordance with the methods set forth in the Official Grain Standards of the United States for Wheat, whether or not such determinations are made on the basis of an official inspection.

(b) In the States of California, Idaho, New Mexico, Nevada, Oregon, Utah, Washington, and the counties in Montana where it is a normal practice to determine smut on a degree basis, the quantity of smut shall be stated in terms of half percent, whole percent, or whole and half percent, and the quantity of smut so determined in pounds shall be deducted from the weight of the wheat after deduction of dockage. Elsewhere the smut condition of the wheat shall be determined on a degree basis. Where applicable, the words "light smutty" or "smutty" shall be added to, and made a part of, the grade determination.

(c) The garlicky condition of the wheat shall be made a part of the grade designation by addition of the words "light garlicky" or the word "garlicky."

§ 601.1707 *Maturity of loans.* Loans mature on demand but not later than April 30, 1953.

§ 601.1708 *Determination of support rates.* Basic support rates for wheat will be set forth in 1952 C. C. C. Grain Price Support Bulletin 1, Supplement 2, Wheat, and will be established for No. 1 dark hard winter, No. 1 hard winter, No. 1 yellow hard winter, No. 1 red winter, No. 1 Western red, No. 1 soft white, No. 1 white club, No. 1 Western white, No. 1 hard white, No. 1 heavy dark northern spring, No. 1 heavy northern spring, No. 1 heavy red spring, No. 1 hard amber durum, No. 1 amber durum, and No. 1 durum. These support rates will be established for wheat stored in approved warehouse storage at designated terminal markets, and for wheat stored in approved country warehouses and in approved farm-storage. The support rate for the quality of wheat placed under a loan or delivered under a purchase agreement shall be the applicable basic support rate adjusted in accordance with the provisions of this section.

(a) *Support rates at designated terminal markets.* (1) Wheat eligible for loan or purchase at the support rate established for designated terminal markets must have been shipped on a domestic interstate freight rate basis. On any wheat shipped at other than the domestic interstate freight rate, the support rate at the designated terminal market shall be reduced by the difference between the freight paid (plus tax) and the domestic interstate freight rate (plus tax).

The support rates established for designated terminal markets apply to wheat which has been shipped by rail or water from a country shipping point to one of the designated terminal markets, as evidenced by paid freight bills duly registered for transit privileges: Provided, that in the event the amount of paid-in freight is insufficient to guarantee the minimum proportional domestic interstate freight rate from the terminal market, there shall be deducted from the applicable terminal support rate the difference between the amount of freight actually paid in and the amount required to be paid in to guarantee outbound movement at the minimum proportional domestic interstate freight rate.

(2) When shipped by rail or water and stored at any designated terminal market, except the terminal markets listed in subparagraph (3) of this paragraph, wheat for which neither registered freight bills nor such freight certificates are presented to guarantee outbound movement at the minimum proportional domestic interstate freight rate, shall have a support rate equal to the terminal rate minus 8 cents per bushel.

For wheat received by truck and stored at any designated terminal market, except the terminal markets listed in subparagraph (3) of this paragraph, the support rate shall be determined by making a deduction from the terminal rate as follows:

Terminal located in—	*Amount of deduction (cents per bushel)*
Area I: Arizona, California, Idaho, Minnesota, Montana, Nevada, North Dakota, Oregon, South Dakota, Washington, Utah	12½
Area II: Colorado, Illinois, Iowa, Kansas, Missouri, Nebraska, Wyoming, Wisconsin	13
Area III: Connecticut, Delaware, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia	14
Area IV: Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, Texas	14

(3) When shipped by rail or water and stored at any of the following terminal markets:

Los Angeles, San Francisco, Calif.
New Orleans, La.
Baltimore, Md.
Duluth, Minn.

Portland and Astoria, Oreg.
Philadelphia, Pa.
Galveston and Houston, Tex.
Norfolk, Va.
Seattle, Longview, Tacoma, and Vancouver, Wash.
Superior, Wis.

wheat for which neither registered freight bills nor such freight certificates are presented to guarantee outbound movement at the minimum proportional domestic interstate freight rate, shall have a support rate equal to the applicable terminal rate.

For wheat received by truck and stored at any of the above terminal markets, the support rate shall be determined by making a deduction from the terminal rate as follows:

Terminal	Amount of deduction (cents per bushel)
Los Angeles, San Francisco, and Oakland, Calif.; Duluth, Minn.; Portland and Astoria, Oreg.; Seattle, Longview, Tacoma, and Vancouver, Wash.; Superior, Wis	4½
New Orleans, La.; Baltimore, Md.; Philadelphia, Pa.; Galveston and Houston, Tex.; Norfolk, Va.	6

(b) *Support rates for wheat in approved warehouse storage at other than designated terminal markets.* (1) Except for the States designated in subparagraph (2) of this paragraph, the support rate for wheat stored in approved warehouses (other than those situated in the designated terminal markets) which is shipped by rail or water shall be determined by deducting from the appropriate designated terminal market rate an amount equal to the transit balance, if any (plus tax) of the through-freight rate from point of origin for such wheat to such terminal market: *Provided*, That in the case of wheat stored at any railroad transit point, taking a penalty by reason of out-of-line movement, or for any other reason, to the appropriate designated market, there shall be added to such transit balance an amount equal to any out-of-line costs or other costs incurred in storing wheat in such position.

(2) In the States of Delaware, Kentucky, Maryland, New Jersey, North Carolina, Tennessee, Virginia, and West Virginia, the PMA commodity office shall, upon request of the county committee, determine the support rate for wheat stored in approved warehouses (except those situated at designated terminal markets) which was shipped by rail in the movement of natural market direction as approved by CCC, by adding to the county rate for the county from which the wheat was shipped an amount per bushel equal to the receiving and loading-out charges computed in accordance with the applicable rates of the Uniform Grain Storage Agreement for the 1952 crop and an amount equal to the transit value of the freight paid (plus tax) from points of origin to markets designated by CCC. The warehouse receipts must be accompanied by the original paid freight bills or certificates of the warehouseman and other required documents as set forth in § 601.1704 (f). If the wheat is stored in approved warehouses located at transit points, taking a penalty by reason of backhaul, or out-of-line of natural market movements, such penalty or other costs by reason of such movement, as determined by CCC, shall be deducted from the support rates as determined in this paragraph.

(c) *Discounts and premiums.* The basic support rates shall be adjusted by all applicable premiums and discounts listed in this paragraph, to determine the support rate for wheat of different classification and quality.

(1) *Classification discounts.*

	Cents per bushel
Mixed wheat	2
Red durum	15
Mixed wheat (containing less than 5 percent of wheats of the classes durum and/or red durum)	2
Mixed wheat (containing 5 percent or more but less than 10 percent of wheats of the classes durum and/or red durum)	6
Mixed wheat (containing in excess of 10 percent of wheats of the classes durum and/or red durum)	15
Mixed wheat grading amber mixed durum	5
Mixed wheat grading mixed durum	10

(2) *Grade discount.*

	No. 1 heavy red northern spring, No. 1 heavy northern spring, No. 1 heavy red spring	No. 1 dark hard winter, No. 1 hard winter, No. 1 yellow hard winter, No. 1 red winter, No. 1 western red, No. 1 hard white, No. 1 soft white, No. 1 white club, No. 1 western white, No. 1 hard amber durum, No. 1 amber durum, No. 1 durum, No. 1 amber mixed durum, No. 1 mixed durum, No. 1 red durum, No. 1 mixed wheat
	Cents per bushel	*Cents per bushel*
No. 1 (not heavy)	1	0
No. 2	2	1
No. 3	4	3
No. 4 on basis of test weight	6	6
No. 5 on basis of test weight	9	9
No. 4 or No. 5 because of containing durum and/or red durum	6	6
Smut-degree basis:		
Light smutty	2	2
Smutty	6	6
Smut-percentage basis:		
½ of 1 percent	1	1
1 percent or over	3	3
Garlic-degree basis:		
Light garlicky	6	6
Garlicky	15	15

(3) *Protein premiums.*

Protein content (percent)	Wheat stored in the States of Arizona, California, Idaho, Nevada, Oregon, Utah, Washington, and designated counties in Montana, based on Portland		All other States, including designated counties in Montana, based on Minneapolis	
	Hard red spring; hard red winter	Hard white wheat of the varieties Bluart and Bluestem	Hard red spring	Hard red winter
	Cents per bushel	*Cents per bushel*	*Cents per bushel*	*Cents per bushel*
10.0–10.9	0	1	0	0
11.0–11.9	1	2	0	0
12.0–12.9	2	3	0	0
13.0–13.9	3	4	1	1
14.0–14.4	4	4½	2	1½
14.5–14.9	5	5	3	2
15.0–15.4	6	5½	4	2½
15.5–15.9	7	6	5	3
16.0–16.4	8	6½	6	3½
16.5–16.9	9	7	7	4
17.0–17.4	10	7½	8	4½
Over 17.4	(1)	(2)	(1)	(2)

[1] 1 cent for each ½ percent of protein over 17.4 percent.
[2] ½ cent for each ½ percent of protein over 17.4 percent.

§ 601.1709 *Warehouse charges.* (a) Warehouse receipts and the wheat represented thereby stored in approved warehouses operating under the Uniform Grain Storage Agreement may be subject to liens for warehouse handling and storage charges not to exceed the Uniform Grain Storage Agreement rates from the date the wheat is deposited in the warehouse for storage. There shall be deducted in computing the amount of the loan or purchase price an amount, determined by the President, CCC, to cover costs of storage from the date of deposit through April 30, 1953. The amounts to be deducted, depending on the date of deposit, will be published as an amendment to this supplement. If the date of deposit is not shown on the warehouse receipt, the date of the warehouse receipt shall be deemed the date of deposit.

(b) Warehouse receipts and the wheat represented thereby stored in approved warehouses operated by Eastern common carriers may be subject to liens for warehouse elevation (receiving and delivering) and storage charges from the date of deposit at rates approved by the Interstate Commerce Commission. There shall be deducted in computing the amount of the loan or purchase

price (except as provided in paragraph (c) (2) of § 601.1710) the amount of the approved tariff rates for storage (not including elevation), which will accumulate from the date of deposit through April 30, 1953. The county committee shall request the PMA commodity office to determine the amount of such charges.

§ 601.1710 *Settlement*—(a) *Farm-storage loans.* (1) In the case of wheat delivered to CCC from farm-storage under the loan program, settlement shall be made at the applicable support rate for the approved point of delivery. The support rate shall be for the grade and quality of the total quantity of wheat delivered.

(2) If the wheat under farm-storage loan, is upon delivery, of a grade and/or quality for which no support rate has been established, the settlement value shall be the support rate established for the grade and/or quality of the wheat placed under loan less the difference, if any, at the time of delivery, between the market price for the grade and/or quality placed under loan and the market price of the wheat delivered, as determined by CCC.

(3) If farm-stored wheat is delivered to CCC prior to April 30, 1953, upon request of the producer and with the approval of CCC, the loan settlement shall be reduced as set forth in § 601.1709.

(b) *Warehouse-storage loans.* (1) In the case of warehouse receipts issued on a warehouse approved under the Uniform Grain Storage Agreement, if the warehouse loan is not redeemed and the warehouse receipt or the accompanying supplemental certificate contains a statement in substantially the following form "Full storage charges, not including receiving charges, paid through April 30, 1953, $_____," a refund in the amount of the smaller of (i) the storage charges prepaid by the producer, or (ii) the amount of the storage charges deducted at the time the loan was completed, will be made to the producer by the PMA county office.

(2) For wheat stored in approved warehouses operated by Eastern common carriers, if the warehouse loan is not redeemed and the supplemental certificate and delivery order contains a statement in substantially the following form "Full storage charges paid through April 30, 1953, $_____," a refund will be made to the producer by the PMA county office of the amount of storage deducted at the time the loan was completed plus any elevation charge which was prepaid by the producer.

(c) *Purchase agreement.* (1) Wheat delivered to CCC under a purchase agreement must meet the requirements of wheat eligible for loan. The purchase rate per bushel of eligible wheat shall be the support rate established for the approved point of delivery, subject to deduction of warehouse charges in accordance with § 601.1709, except as provided in subparagraph (2) of this paragraph.

In the case of warehouse receipts issued on a warehouse approved under the Uniform Grain Storage Agreement, if the warehouse receipt or the accompanying supplemental certificate representing wheat stored in the warehouse contains a statement in substantially the following form, "Full storage charges, not including receiving charges, paid through April 30, 1953, $_____," the producer shall be given credit for the smaller of (i) the storage charges prepaid by the producer, or (ii) the amount of the warehouse storage charges determined according to the time of deposit as outlined in § 601.1709, at the time the settlement value of the commodity delivered is determined.

(2) For wheat stored in approved warehouses operated by Eastern common carriers, if the supplemental certificate and delivery order representing wheat stored in the warehouse contains a statement in substantially the following form "Full storage charges paid through April 30, 1953, $_____," no deduction for storage shall be made from the support rate at the time the settlement value of the commodity delivered is determined. The producer shall be given credit for the amount of any elevation charge prepaid at the time the settlement value of the commodity delivered is determined, if he presents evidence showing such prepayment.

(d) *Track-loading.* A track-loading payment of 2 cents per bushel shall be made to the producer on wheat delivered to CCC on track at a county point.

Issued this 23d day of April 1952.

[SEAL] JOHN H. DEAN,
Acting Vice President,
Commodity Credit Corporation.

Approved:

HAROLD K. HILL,
Acting President,
Commodity Credit Corporation.

[F. R. Doc. 52-4749; Filed, Apr. 25, 1952; 8:58 a. m.]

[721 (Honey 52)-1; 1952 Honey Bulletin 1]

PART 624—HONEY

SUBPART—1952 HONEY PRICE SUPPORT PROGRAM

This bulletin states the requirements with respect to the 1952 Honey Price Support Program whereby the Secretary of Agriculture makes price support for extracted honey available through the Commodity Credit Corporation and the Production and Marketing Administration (hereinafter referred to as CCC and PMA, respectively).

Sec.

AUTHORITY: §§ 624.301 to 624.326 issued under sec. 4, 62 Stat. 1070 as amended; 15 U. S. C. Sup., 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 201, 401, 63 Stat. 1052, 1054; 15 U. S. C. Sup., 714c, 7 U. S. C. Sup., 1446, 1421.

§ 624.301 *Administration.* This subpart will be administered by the Fruit and Vegetable Branch, PMA, under the general direction and supervision of the President, CCC, and in the field will be carried out by PMA State and PMA County Committees (hereinafter called State and county committees) and PMA Commodity Offices. Producers interested in participating in the program should contact their county committee through which the price support documents will be distributed. All documents will be completed and approved by the county committee which will retain copies of all such documents. The State committee may authorize the county committees to designate in writing certain employees of the county committee to approve documents on behalf of the county committee. The names of the employees delegated to approve documents on behalf of the county committee shall be reported in writing to the State committee. State and county committees and PMA commodity offices do not have authority to modify or waive any of the provisions of this subpart or any amendments or supplements hereto.

§ 624.302 *Availability of price support*—(a) *Method of support.* Price support to producers on extracted honey will be made available through loans on such honey stored in approved farm-storage or in an approved warehouse, and through purchase agreements.

(b) *Area.* Farm-storage and warehouse-storage loans and purchase agreements will be available wherever honey is produced in the continental United States.

(c) *Where to apply.* Application for price support should be made at the office of the county committee of the county in which the producer's place of operation is located or if producer has more than one place of operation to the office of the county committee of the county in which the honey is stored.

(d) *When to apply.* Loans and purchase agreements will be available from April 1, 1952, through October 31, 1952, in Florida, Georgia, South Carolina, Alabama, Mississippi, Louisiana, Texas, New Mexico, Arizona, and California. In all other States, loans and purchase agreements will be available from July 1, 1952, through December 31, 1952. Applicable documents must be signed by the producer and delivered to the county committee not later than the date applicable for the State concerned.

(e) *Eligible producer.* (1) An eligible producer shall be any individual, partnership, association, or corporation, producing extracted honey in 1952. Any group of eligible producers may designate in writing in the form or forms prescribed by CCC, an agent to act in their behalf in obtaining price support under this program. A copy of each designation of agent signed by one or more producers and indicating the maximum quantity of honey on which each producer wishes either a loan or purchase agreement, must be delivered to the county committee before any purchase agreement or loan documents on behalf of the group are approved by the county committee.

(2) Cooperative marketing associations of producers will be eligible for loans and purchase agreements on eligible honey received from the producers thereof: *Provided*, That (i) the producers are bound by contract to deliver their eligible honey to the association free from all liens and encumbrances, and the association does not thereafter, by release or by holding in storage, permit producers to obtain individual price support loans or purchase agreements; (ii) the proceeds of the eligible honey marketed by the association are shared proportionately among the eligible producers according to the grade and quantity of such honey each delivers to the association; (iii) the association has authority to obtain a loan on the security of the honey and to give a lien thereon as well as authority to sell such honey. Only honey received from producers under such conditions may be delivered to CCC under a loan or purchase agreement.

(3) All determinations with respect to whether or not a given organization is a cooperative marketing association of producers pursuant to this section shall be made by or under the direction of the State Committee.

§ 624.303 *Eligible honey.* Eligible honey must meet the following requirements:

(a) The honey must have been produced and extracted in the continental United States by an eligible producer.

(b) Honey shall be packed in clean, sound transportable containers of a standard capacity of not less than 5 gallons nor greater than 70 gallons. All containers shall be closed with leak-proof caps, lids, bungs, or other appropriate leak-proof closures.

(c) The beneficial interest in the honey must be in the producer tendering the honey for loan or for delivery under a purchase agreement, and must always have been in him or must have been in him and a former producer whom he succeeded as owner of the bees producing the honey before the honey was extracted. In the case of a cooperative marketing association these stipulations as to beneficial interest shall apply to each producer delivering to the association.

(d) The honey must grade A, B, or C, of the United States Standards for Grades of Extracted Honey, effective April 16, 1951: *Provided, however*, That in areas where the State Committee determines that existing conditions make fermentation of high moisture honey probable during the period of storage the maximum moisture content may, with the approval of the Director, Fruit and Vegetable Branch, PMA, be established at not more than 18.6 percent.

"(e) Honey offered for a farm-storage loan must have been stored in containers specified in paragraph (b) of this section for at least 15 days prior to drawing the inspection samples.

Honeys of an objectionable flavor including Athel, Avocado, Bitterweed, Broomweed, Carrot, Chinquapin, Dog Fennel, Desert Hollyhock, Gumweed, Mescal, Onion, Prickley Pear, Prune, Tarweed, and similar objectionable-flavored honeys or objectionable-flavored blends of honey as determined by the Director, Fruit and Vegetable Branch, PMA, will not be eligible for price support.

§ 624.304 *Disbursement of loans.* Disbursement of loans will be made to producers by county offices by means of sight drafts drawn on CCC or by approved lending agencies under agreement with CCC. The producer shall not present the loan documents for disbursement unless the honey is in existence and in good condition. If the commodity is not in existence and in good condition at the time the producer receives the disbursement, the proceeds shall be promptly refunded by the producer. Disbursement shall not be made later than 15 days after the final date of the availability of loans, unless recommended by the State Committee and approved by the President, CCC.

§ 624.305 *Approved lending agencies.* An approved lending agency shall be any bank, corporation, partnership, individual or legal entity with which CCC has entered into a lending agency agreement (CCC Form 292 or other form prescribed by CCC), or a loan servicing agreement.

§ 624.306 *Approved storage.* Loans will be made only on honey in approved storage. Purchase agreements will be accepted without any requirements for approved storage. Honey under a purchase agreement may be delivered by the tender of a warehouse receipt, provided such honey is in existence, in good condition, and stored in an approved warehouse at the time the warehouse receipt is tendered.

(a) *Farm storage.* Approved farm storage shall consist of storage structures located on or off the farm (excluding public warehouses) which are determined by the county committee to be so located and of such substantial and permanent construction as to afford safe storage of the honey. Storage structures for honey should be clean, dry, weatherproof and able to be locked. Where such structure is not used solely to house honey under loan, except as provided in paragraph (c) of this section, a suitable partition shall be used to preserve the identity of the honey and segregate it from any other honey in the storage structure.

(b) *Warehouse storage.* Approved warehouse storage shall consist of warehouses for which a CCC Honey Storage Agreement is in effect. As warehouses obtain such agreements, their names will be available at PMA Commodity Offices or from State and county committees.

(c) *Cooperative storage.* Where a cooperative marketing association of producers desires to secure a loan by a chattel mortgage, approved storage shall meet the same requirements as for approved farm storage, as provided in paragraph (a) of this section, except that preservation of the identity of each producer's honey in the lot covered by the mortgage will not be required.

§ 624.307 *Applicable forms.* The applicable forms shall consist of the Loan and Purchase Agreement forms and other forms specified in this section, which as modified and supplemented by the provisions of this subpart shall govern the rights and responsibilities of the producer. Notes and chattel mortgages, note and loan agreements, and purchase agreements must be dated and delivered to the county committee on or before the final date of availability of loans or purchase agreements. Notes and chattel mortgages and notes and loan agreements must have State and documentary revenue stamps affixed thereto where required by law. Loan and purchase agreement documents, executed by an administrator, executor, or trustee, will be acceptable only where legally valid.

(a) *Farm-storage loans.* Approved forms shall consist of a producer's note on Commodity Loan Form A secured by a chattel mortgage on Commodity Loan Form AA and such other forms and documents as may be required by CCC. These forms will also be used for honey stored by cooperative marketing associations of producers in warehouses under their control.

(b) *Warehouse-storage loans.* Approved forms shall consist of the note and loan agreement on Commodity Loan Form B secured by identity-preserved warehouse receipts and such other forms and documents as may be required by CCC. Any honey pledged as security for a loan on a single note and loan agreement must be stored in the same warehouse.

(c) *Purchase agreement documents.* The purchase agreement forms shall consist of the purchase agreement (Commodity Purchase Form 1) and purchase agreement settlement (Commodity Purchase Form 4) signed by the producer and approved by the county committee, the delivery instructions (Commodity Purchase Form 3) issued by the county committee, approved identity-preserved warehouse receipts, and such other forms and documents as may be required by CCC.

(d) *Identity-preserved warehouse receipts.* Identity-preserved warehouse receipts, representing honey in approved warehouse storage, presented to obtain a loan or for a delivery under a purchase agreement, must meet the following requirements:

(1) Warehouse receipts must be negotiable and must be issued in the name of the producer; must be properly endorsed in blank so as to vest title in the holder; and must be issued by a warehouse which

is operating under a CCC Honey Storage Agreement.

(2) Each such warehouse receipt must show name and address of the warehouse in which the honey is stored; the grade, color, and quantity of the honey when placed in storage; the floral source or sources, the number of cases, the number of containers, size of containers, gross weight and net weight for each floral source contained in a single lot, and lot identification numbers; and shall state that all charges except receiving-for-storage charges, for honey represented by the warehouse receipt, have been paid and that the warehouseman has no lien upon such honey for any charges, except receiving-for-storage charges.

(3) A separate warehouse receipt must be submitted for each lot of honey. A lot of honey shall mean honey of the floral sources eligible for one of the three area loan rates and offered by a single producer or the agent of a group of producers.

(e) *Designation of agent by a group of producers.* Producers who designate an agent to act in their joint behalf in obtaining price support shall execute CCC Honey Form 1 (Appendix A to this subpart) for loans or CCC Honey Form 2 (Appendix B to this subpart) for purchase agreements. A copy of each designation of agent must be delivered to the county committee before any purchase agreement or loan documents on behalf of the group are approved by the county committee.

§ 624.308 *Liens.* If there are any liens or encumbrances on the honey, a prescribed lien waiver must be obtained.

§ 624.309 *Service charges.* Service charges shall be paid by the producer on the quantity of honey placed under loan or specified in the purchase agreement, computed at the following rates:

(a) Rates:

	Rate (per 100 pounds net)	Minimum charge
	Cents	
Farm-storage loan	5	$3.00
Warehouse loan	5	3.00
Purchase agreements	2½	1.50

(b) No refund of service charges will be made.

§ 624.310 *Determination of quantity.* (a) In determining the net weight of honey offered for a farm-storage loan the number of full containers shall be multiplied by the following standard net weights for each size container: Five gallon honey cans which are full shall be considered to contain 59 pounds net weight and full containers of larger size shall be considered to contain eleven and eight tenths (11.8) pounds net weight for each gallon of rated capacity. Net weight determination in connection with applications for farm-storage loans shall be made by the county committee.

(b) Determination of net weight for honey offered for a warehouse-storage loan shall be made by reducing the actual gross weight by the tare weight of the containers involved. Net weight determinations in connection with applications for warehouse-storage loans shall be made by the warehouseman.

(c) Net weight determinations in connection with settlement of farm-storage and warehouse-storage loans or purchase agreements shall be made by a representative of the Processed Products Standardization and Inspection Division of the Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture.

§ 624.311 *Determination of grade.* (a) Determination of grade in connection with applications for either farm-storage or warehouse-storage loans shall be made by the area inspection office of the Processed Products Standardization and Inspection Division, Fruit and Vegetable Branch, Production and Marketing Administration, on the basis of samples drawn and submitted by the county committee. Samples shall be provided by the producer at no cost to CCC. The samples shall be drawn and transmitted prepaid in accordance with instructions issued by the Director, Fruit and Vegetable Branch, PMA. The cost of inspection shall be collected for the account of the Processed Products Standardization and Inspection Division by the county committee from the producer at the time samples are drawn.

(b) Determination of grade at time of delivery to CCC, of honey under loan or purchase agreement, including the drawing of the samples shall be by representatives of the Processed Products Standardization and Inspection Division, Fruit and Vegetable Branch, PMA. Samples shall be provided by the producer at no cost to CCC. The cost of such sampling, and of quantity and grade determination at time of delivery shall be paid by CCC.

§ 624.312 *Maturity of loans.* Loans mature on demand, but not later than March 31, 1953, in all States.

§ 624.313 *Warehouse charges.* Identity-preserved warehouse receipts, and the honey represented thereby stored in approved warehouses may be subject to liens for warehouse charges (other than receiving-for-storage charges) only from March 31, 1953. On honey delivered to CCC in approved warehouse storage, receiving-for-storage charges and storage charges accruing after March 31, 1953, will be paid by CCC.

§ 624.314 *Set-offs.* If the producer is indebted to CCC on any accrued obligation, or if any installments past due or maturing within twelve months are unpaid on any loan made available by CCC on farm storage facilities, whether held by CCC or a lending agency, he must designate CCC or such lending agency as the payee of the proceeds of the purchase or loan to the extent of such indebtedness or installments, but not to exceed that portion of the proceeds remaining after deduction of loan service charges and amounts due prior lienholders. However, prepayment of only one principal installment on a farm storage facility loan shall be deducted from the price support proceeds of any one crop year. If the producer is indebted to any other agency of the United States, and such indebtedness is listed on the county debt register, he must designate such agency as the payee of the proceeds as provided above. Indebtedness owing to CCC or to a lending agency as provided above shall be given first consideration after claims of prior lienholders. Compliance with the provisions of this section shall not constitute a waiver of any right of the producer to contest the justness of the indebtedness involved either by administrative appeal or legal action.

§ 624.315 *Interest rate.* Loans shall bear interest at the rate of 3½ percent per annum and interest shall accrue from the date of disbursement of the loan, notwithstanding the printed provisions of the note.

§ 624.316 *Transfer of producer's interest*—(a) *Loans.* The right of the producer to transfer either his right to redeem the honey under loan or his remaining interest may be restricted by CCC.

(b) *Purchase agreements.* The producer may not assign his interest in the purchase agreement.

§ 624.317 *Safeguarding the honey.* The producer obtaining a farm-storage loan is obligated to maintain the storage structure in good repair and to keep the honey in good condition.

§ 624.318 *Insurance.* CCC will not require the producer to insure the honey placed under loan; however, if the producer insures such honey and indemnity is paid thereon, such indemnity shall inure to the benefit of CCC to the extent of its interest, after first satisfying the producer's equity in the honey involved in the loss.

§ 624.319 *Loss or damage to honey.* If the honey is going out of condition or is in danger of going out of condition, the producer shall notify the county committee. The producer is responsible for any loss in quantity or quality of the honey placed under farm-storage or identity-preserved warehouse-storage loan, except that, subject to the provisions of § 624.318, physical loss or damage occurring after disbursement of the loan funds to the producer, without fault, negligence, or conversion on the part of the producer or of the person having control of the storage structure resulting solely from causes other than fermentation, insect infestation, rodents, or wild animals, will be assumed by CCC to the extent of the settlement value provided the producer has given the county committee immediate notice of such loss or damage and provided there has been no fraudulent representation made by the producer in the loan documents or in obtaining the loan. No physical loss or damage occurring prior to disbursement of the loan funds to the producer will be assumed by CCC. Where disbursement of funds is made by sight draft or check, the date of the draft or check shall constitute the date of disbursement of the funds.

§ 624.320 *Personal liability of the producer for the honey.* The making of

any fraudulent representation by the producer in the loan documents, or in obtaining the loan, or the conversion or unlawful disposition of any portion of the honey by him will render the producer personally liable for the amount of the loan (including interest) and for any resulting expense incurred by any holder of the note, and may render him subject to criminal prosecution under federal law.

§ 624.321 *Release of the honey under loan.* A producer may at any time obtain release of the honey remaining under loan by paying to the holder of the note, or note and loan agreement, the principal amount thereof, plus charges and accrued interest. All charges in connection with the collection of the note shall be paid by the producer. Upon notice from the PMA commodity office or upon presentation of the paid note, the county committee shall arrange for the release of the chattel mortgage. Partial release of the honey prior to maturity may be arranged with the county committee by paying to the holder of the note the amount of the loan, plus charges and accrued interest, represented by the quantity of the honey to be released. In the case of warehouse-storage loans, such partial release must cover all of the honey under one warehouse receipt.

§ 624.322 *Liquidation of loans and delivery under purchase agreements*—(a) *Farm-storage loans.* The producer is required to pay off his loan on or before maturity or to deliver the honey in accordance with instructions of the county committee. Delivery points for farm-storage loans shall be limited to those recommended by the State Committee and approved by the Director, Fruit and Vegetable Branch, PMA. The producer may, however, pay off his loan and redeem his honey at any time prior to delivery to CCC or removal by CCC. In the event the farm is sold or there is a change of tenancy, the honey under a farm-storage loan may be delivered before the maturity date of the loan, upon prior approval by the county committee, or may be delivered before the maturity date of the loan for other reasons upon prior approval of the President of CCC. Settlement will be made at the applicable support price, subject to the provisions of the mortgage supplement, according to the quantity, floral source, color and grade at the time of delivery as shown by the inspection certificate issued in accordance with § 624.311 (b). If farm-stored honey is delivered to CCC prior to March 31, 1953, upon request of the producer and with the approval of CCC, the loan settlement shall be reduced at the rate of 1/20 of a cent per pound per month or fraction thereof, from the date delivery is accomplished, or from the final date for delivery shown in the delivery instructions issued by the county committee, whichever is earlier, to and including March 31, 1953. The producer shall pay CCC for any deficiency in quantity, floral source, grade or color. Settlement value for honey delivered which does not meet the eligibility requirements with respect to grade shall be determined at the support price for the honey placed under loan, less the estimated cost, as recommended by the State Committee and approved by the Director, Fruit and Vegetable Branch, PMA, for conditioning such honey to conform to the grade of honey described in the loan documents. The settlement value for honey delivered which does not meet eligibility requirements because of floral source or which cannot be conditioned to meet grade requirements, shall be the actual market value of such honey, if any, as recommended by the State Committee and approved by the Director, Fruit and Vegetable Branch, PMA. Any payment due the producer on settlement may be made by sight draft drawn on CCC by the County office.

(b) *Warehouse-storage loans.* If the producer does not repay his loan by maturity, CCC shall exercise its right to sell the honey in accordance with the provisions of the note and loan agreement as of the day following maturity. Notwithstanding the provision in section 9 (a) of the note and loan agreement to the effect that the holder of the note shall look solely to the pledged commodity for satisfaction of such note, settlement for differences in quantity, floral source, color and grade as shown by the loan documents and the inspection certificates shall be made as provided in paragraph (a) of this section. Any payment due the producer on settlement, because of an overplus realized from the sale of the honey, will be made by the appropriate PMA Commodity Office. If the honey is purchased by CCC the purchase price shall be the market value of the honey or the support price, whichever is higher, as determined by CCC.

(c) *Handling small amounts on settlement.* If the settlement value of the honey delivered under a farm-storage loan, or an identity-preserved warehouse loan, exceeds the amount due on the loan (excluding interest) by more than $3.00, such amount will be paid to the producer on the basis of the settlement documents. To avoid administrative costs of making small payments, if the amount found due the producer in such settlement is $3.00 or less, such amount will be paid only upon his request. If the settlement value of the honey is less than the amount due on the loan (excluding interest), the amount of the deficiency, plus interest, shall be paid to CCC or may be set off against any payment which would otherwise be due to the producer under any agricultural program administered by the Secretary of Agriculture or any other payments which are due or may become due to the producer from CCC or any other agency of the United States. To avoid administrative costs of handling small accounts a deficiency of $3.00 or less including interest, may be disregarded unless demand therefor is made by CCC upon the producer.

(d) *Purchase agreements.* The producer who signs a purchase agreement (Commodity Purchase Form 1) will not be obligated to sell any quantity of the honey to CCC. However, the quantity stated in the purchase agreement will be the maximum quantity he may sell to CCC. If the producer who signs a purchase agreement wishes to sell the commodity to CCC, he will have a 30-day period during which he must notify the county committee of his intention to sell. Deliveries will not be accepted before March 31, 1953, or such earlier date as prescribed by the President, CCC. Delivery points for purchase agreements shall be limited to those recommended by the State Committee and approved by the Director, Fruit and Vegetable Branch, PMA. Payment for eligible honey delivered to CCC under purchase agreements will be at applicable support prices and will be made to the producer by sight draft drawn on CCC by the county office.

§ 624.323 *Purchase of notes.* CCC will purchase from approved lending agencies, notes evidencing approved loans which are secured by chattel mortgages or negotiable warehouse receipts. The purchase price to be paid by CCC will be the principal sums remaining due on such notes, plus an amount computed according to the lending agency agreement to cover interest. Lending agencies are required to submit Commodity Credit Corporation Form 500 or such other form as CCC may prescribe for all payments received on producers' notes held by them and are required to remit to CCC a part of the interest collected, computed according to the lending agency agreement.

§ 624.324 *Charges not to be assumed by CCC.* CCC will not pay or assume any sampling, insurance, storage charges, grading charges, or other handling or processing charges necessary for the honey to meet the eligibility requirements. However, storage charges accruing after March 31, 1953, receiving-for-storage charges for honey delivered to CCC in an approved warehouse, and the cost of sampling, and of quantity and grade determination at time of delivery, as provided in § 624.311 (b), will be paid by CCC.

§ 624.325 *Support prices.* Loans will be made and honey delivered under purchase agreements will be purchased, at the support prices set forth below:

For States of Montana, Wyoming, Colorado, New Mexico and States west thereof:

	Rate (cents per pound)
1. White or lighter table honey	11.50
2. Darker than white table honey	11.00
3. Nontable honey	9.50

For all States east of Montana, Wyoming, Colorado and New Mexico:

	Rate (cents per pound)
1. White or lighter table honey	12.25
2. Darker than white table honey	11.75
3. Nontable honey	10.25

(a) "Table honey" means honey of a flavor which can be readily marketed for table use in all parts of the country. Such honey includes: Alfalfa, Basswood, Brazil Brush, Catsclaw, Clethra, Clover, Cotton, Fireweed, Gallberry, Huajillo, Huckleberry, Lima Bean, Locust, Mesquite, Milkweed, Orange, Raspberry, Sage, Sourwood, Sweetclover, Thistle, Tupelo, Vetch, Western Wild Buckwheat, and similar mild-flavored honeys or mild-flavored blends of honey as determined

by the Director, Fruit and Vegetable Branch, PMA. The color of the honey shall be determined in accordance with the U. S. Standards for Grades of Extracted Honey, effective April 16, 1951.

(b) "Nontable honey" means honey of a flavor having limited national acceptability for table use but considered to be of table honey in most areas in which it is produced. Such honey includes: Aster, Boneset, Buckwheat (except Western Wild Buckwheat), Cascara, Dandelion, Eucalyptus, Goldenrod, Heartsease (Smartweed), Holly, Horsemint, Mangrove, Manzanita, Palmetto, Partridge Pea, Sumac, Spanish Needle, Tamarisk, Thyme, Ti-ti, Tulip Tree, Yellow Top, and similar honeys or blends of honey, as determined by the Director, Fruit and Vegetable Branch, PMA.

§ 624.326 *PMA Commodity Offices.* The PMA Commodity offices and the areas served by them are shown below:

Chicago 5, Ill., 623 South Wabash Avenue: Illinois, Indiana, Iowa, Michigan, Ohio, Kentucky.

Dallas 2, Tex., 1114 Commerce Street: New Mexico, Oklahoma, Texas.

Kansas City 6, Mo., Fidelity Building, 911 Walnut Street: Colorado, Kansas, Missouri, Nebraska, Wyoming.

Minneapolis 3, Minn., Gamble-Skogmo Building, 15 North Eighth Street: Minnesota, Montana, North Dakota, South Dakota, Wisconsin.

New Orleans 12, La., 333 St. Charles Street: Louisiana, Arkansas, Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee.

New York 13, N. Y., 139 Centre Street: Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, West Virginia, Virginia.

Portland 5, Oreg., 515 Southwest Tenth Avenue: Idaho, Oregon, Washington.

San Francisco 2, California, 335 Fell Street, Rincome Annex: Arizona, California, Nevada, Utah.

Issued this 23d day of April 1952.

[SEAL] JOHN H. DEAN,
Acting Vice President,
Commodity Credit Corporation.

Approved:

HAROLD K. HILL,
Acting President,
Commodity Credit Corporation.

APPENDIX A

U. S. Department of Agriculture No.------
Commodity Credit Corporation
CCC Honey Form 1

PRODUCERS' DESIGNATION OF AGENT
(Honey Loan)

I (we) the undersigned eligible honey producer(s) hereby appoint

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(Name) (Address)

my (our) agent with full authority to act for me (us) and in my (our) name and stead in obtaining price support under the 1952 Honey Price Support Program of the Commodity Credit Corporation, which is administered through State and County PMA Committees of the United States Department of Agriculture, for the pounds of honey listed opposite my (our) name(s):

Name	*Address*	*Pounds*
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In exercising such authority, the above-named agent is empowered to execute all loan documents, to pool my (our) honey with honey owned by other producers and of a floral source or sources and color having the same support price, to pledge or mortgage such pooled honey to CCC as security for loan(s), to receive the proceeds of such loan(s) on my (our) behalf, to distribute all of such proceeds pro rata to me (us) in accordance with the respective interests in the pooled honey under loan, and to perform any and all other acts necessary or appropriate to the above authority to all intents and purposes as if performed by me (us) personally, including but not limited to the authority to redeem or not to redeem the pooled honey under loan in accordance with instructions from me (us). This appointment shall continue in effect until revoked in writing and a signed copy thereof is delivered to Commodity Credit Corporation through the County PMA Committee.

In witness whereof I (we) have hereunto affixed my (our) signature(s):

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(Date) (Signature)
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(Witness) (Date)
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(Date) (Signature)
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(Witness) (Date)
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(Date) (Signature)
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(Witness) (Date)
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(Date) (Signature)
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(Witness) (Date)

APPENDIX B

U. S. Department of Agriculture No. ----
Commodity Credit Corporation
CCC Honey Form 2

PRODUCERS' DESIGNATION OF AGENT

(Purchase Agreement)

I (we) the undersigned eligible honey producer(s) hereby appoint

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(Name) (Address)

my (our) agent with full authority to act for me (us) and in my (our) name and stead in obtaining price support under the 1952 Honey Price Support Program of the Commodity Credit Corporation, which is administered through State and County PMA Committees of the United States Department of Agriculture, for the pounds of honey listed opposite my (our) name(s):

Name	*Address*	*Pounds*
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	Total	------

In exercising such authority, the above-named agent is empowered to execute all applicable purchase agreement documents, to notify Commodity Credit Corporation of my (our) intention to sell honey, to pool my (our) honey with honey owned by other producers, and of a floral source or sources and color having the same support price, and to sell and deliver such pooled honey to Commodity Credit Corporation, to make joint settlement and receive payment on my (our) behalf for honey so sold, to distribute all of such proceeds pro rata to me (us) in accordance with the respective interests in the pooled honey sold, and to perform any and all other acts necessary or appropriate to the above authority to all intents and purposes as if performed by me (us) personally. This appointment shall continue in effect until revoked in writing and a signed copy thereof delivered to Commodity Credit Corporation through the County PMA Committee.

It witness whereof I (we) have hereunto affixed my (our) signature(s).

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(Date) (Signature)
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(Witness) (Date)
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(Date) (Signature)
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(Witness) (Date)

[F. R. Doc. 52-4735; Filed, Apr. 25, 1952; 8:54 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Grapefruit Reg. 160]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.576 *Grapefruit Regulation 160*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than April 28, 1952. Shipments of grapefruit grown in the State of Florida, have been subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, since September 17, 1951, and will so continue until April 28, 1952; the recommendation and supporting information for continued regulation subsequent to April 27 was

promptly submitted to the Department after an open meeting of the Growers Administrative Committee on April 22; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time thereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such grapefruit; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of grapefruit; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., e. s. t., April 28, 1952, and ending at 12:01 a. m., e. s. t., May 12, 1952, no handler shall ship:

(i) Any grapefruit of any variety, grown in the State of Florida, which do not grade at least U. S. No. 2 Russet;

(ii) Any white seeded grapefruit, grown in the State of Florida, which do not grade at least U. S. No. 1 Russet;

(iii) Any white seeded grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 80 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box;

(iv) Any pink seeded grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 96 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box;

(v) Any seedless grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 112 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box;

(vi) Any white seedless grapefruit, grown in Regulation Area I, which grade U. S. No. 2 Bright, U. S. No. 2, or U. S. No. 2 Russet, which are of a size larger than a size that will pack 80 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box; or

(vii) Any white seedless grapefruit, grown in Regulation Area II, which grade U. S. No. 2 Bright, U. S. No. 2, or U. S. No. 2 Russet, which are of a size larger than a size that will pack 70 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box.

(2) As used in this section "handler," "variety," "ship" and "Growers Administrative Committee" shall have the same meaning as when used in said amended marketing agreement and order; and "U. S. No. 1 Russet," "U. S. No. 2 Bright," "U. S. No. 2," "U. S. No. 2 Russet," "standard pack" and "standard nailed box" shall have the same meaning as when used in the revised United States Standards for Grapefruit (7 CFR 51.191).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 24th day of April 1952.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 52-4752; Filed, Apr. 25, 1952; 8:58 a. m.]

[Lemon Reg. 431, Amdt. 1]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

Findings. 1. Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

2. It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice and engage in public rule making procedure (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient; and this amendment relieves restriction on the handling of lemons grown in the State of California or in the State of Arizona.

Order, as amended. The provisions in paragraph (b) (1) (ii) of § 953.538 (Lemon Regulation 431, 17 F. R. 3478) are hereby amended to read as follows:

(ii) District 2: 425 carloads.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 24th day of April 1952.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 52-4782; Filed, Apr. 25, 1952; 9:08 a. m.]

[Lemon Reg. 432]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.539 *Lemon Regulation 432*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 14 F. R. 3612), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified in this section was promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on April 23, 1952; such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., April 27, 1952, and ending at 12:01 a. m., P. s. t., May 4, 1952, is hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 425 carloads;

(iii) District 3: Unlimited movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended marketing agreement and order, is hereby fixed in

accordance with the prorate base schedule which is attached to Lemon Regulation 431 (17 F. R. 3478) and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "carloads," "prorate base," "District 1," "District 2," and "District 3," shall have the same meaning as when used in the said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 24th day of April 1952.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 52-4781; Filed, Apr. 25, 1952; 9:03 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Department of the Navy

Subchapter C—Personnel

PART 711—NAVAL RESERVE OFFICERS' TRAINING CORPS

REVISION

Part 711 is revised to read as follows:

AUTHORITY: §§ 711.101 to 711.1002 issued under sec. 22, 43 Stat. 1276, as amended; 34 U. S. C. 821.

NOTE: §§ 711.101 to 711.1002 are also contained in Naval Reserve Officers Training Corps Regulations, Navy Department, 1952 (NAVPERS 15034E).

GENERAL PRINCIPLES

§ 711.101 *Authorization.* The Naval Reserve Officers' Training Corps is established under authority of section 22 of the Act of March 4, 1925, as amended (34 U. S. C. 821).

§ 711.102 *Supervision.* (a) In conformity with the provisions of existing law, the NROTC is operated through appropriate administrative regulations issued by the Secretary of the Navy.

(b) The Secretary of the Navy is also authorized to prescribe standard courses for theoretical and practical Naval training for NROTC units and to issue to institutions with NROTC units such transportation, equipment, and uniforms belonging to the United States as he may deem necessary, and to authorize such expenditures from proper Navy appropriations as he may deem necessary for the efficient maintenance of the NROTC.

(c) The Bureau of Naval Personnel is the administrative agency of the Secretary of the Navy, as explained in § 711.401.

(d) NROTC Bulletins and Memoranda, issued when required by the Bureau of Naval Personnel, will embody current Bureau directives dealing with the operation and administration of the NROTC.

§ 711.103 *Mission.* The mission of the Naval Reserve Officers' Training Corps is to provide by a permanent system of training and instruction in essential naval subjects at civil educational institutions a source from which qualified officers may be obtained for the Navy and the Marine Corps, and the Naval Reserve and the Marine Corps Reserve.

§ 711.104 *Scope as an agency to provide and maintain naval officer strength.* The NROTC will accomplish its mission as an agency for providing and maintaining naval officer strength by—

(a) Qualification of students for appointment as ensigns in the Regular Navy and the Naval Reserve, or second lieutenants in the Marine Corps and the Marine Corps Reserve, thus assisting in meeting the needs for commissioned personnel.

(b) Increased dissemination of knowledge concerning the Navy and Marine Corps, their purposes, ideals, achievements, and handicaps, thereby gaining and holding increased public interest in the maintenance of adequate naval preparedness.

ORGANIZATION

§ 711.201 *Organization of the NROTC.* The Naval Reserve Officers' Training Corps is composed of naval training units established in civil educational institutions of the United States. A unit is the total enrollment of Regular and Contract students in the NROTC at any one civil educational institution. (See § 711.301.)

§ 711.202 *Department of Naval Science.* Instruction given at any insti-

tution in accordance with programs prescribed by the Navy Department will be conducted and supervised by a Department of Naval Science.

§ 711.203 *Designation of units.* The unit established at any civil educational institution will be officially designated as "NROTC Unit, (name of institution)."

§ 711.204 *Course of training.* (a) The NROTC course of training consists of those courses, practice periods, and exercises prescribed by the Navy Standard Curriculum currently in effect, together with such summer training duty or training cruises as may be prescribed. A midshipman pursuing a normal four-year college course will be required to carry a minimum of one Naval Science course per semester or quarter, unless otherwise authorized by the Professor of Naval Science.

(b) During the junior and senior years, special professional courses are provided at all units for students desiring to obtain commissions in the Marine Corps, and at certain designated units for those desiring commissions in the Supply Corps.

(c) In order that NROTC graduates may have a sound and liberal background of academic as well as professional knowledge, additional standard academic courses, as offered by the college faculty, are prescribed, and certain elective subjects are recommended.

§ 711.205 *Requirements for establishment of units.* The following requirements must be met prior to the establishment of an NROTC unit at a civil educational institution:

(a) For normal operation an annual minimum initial enrollment in the Naval Science courses of 80 qualified male students is required to maintain a Naval Reserve Officers' Training Corps Unit. Such input into the NROTC will be limited and controlled as directed by the Bureau of Naval Personnel on a schedule consonant with the needs of the Service.

(b) The authorities of the institution shall agree to establish and maintain the courses in Naval Science prescribed by the Bureau of Naval Personnel.

(c) Credits toward a degree will be granted for Naval Science subjects commensurate with the time expended, in the same manner as for other academic subjects.

(d) The authorities of the institution shall agree to appoint to the faculty, with appropriate rank, a Naval or Marine Corps officer detailed as Professor of Naval Science and such additional officers of the Regular Navy, Naval Reserve, Marine Corps, or Marine Corps Reserve as may be assigned by the Navy Department.

§ 711.206 *Application for establishment of units.* A civil educational institution desiring the establishment of a unit of the NROTC should make application to the Bureau of Naval Personnel on the form prescribed in § 711.1001.

§ 711.207 *Inspection of institution prior to establishment of unit.* When the establishment of a new unit is to be considered by the Navy Department, an officer will be designated by the Bureau of Naval Personnel to visit and inspect any educational institution submitting the application for establishment of a unit prescribed in § 711.206. This officer will report to the Bureau of Naval Personnel upon completion of his inspection as to whether or not the institution inspected fulfills the requirements of the laws and regulations governing the establishment of a unit, and he will specifically recommend in his report whether or not a unit should be established.

§ 711.208 *Limitation of personnel of NROTC.* The enacting law as amended prescribes that the total NROTC students in training shall not exceed 15,400 at any one time. Of these not more than 14,000 shall be Regular NROTC students as defined in § 711.301 (a). The remainder of the 15,400 total may be composed of Contract NROTC students whose tuition is not paid by the Navy, as specified in § 711.301 (b).

§ 711.209 *Withdrawal of authority for establishment of a unit.* An institution desiring to withdraw from the NROTC will so report in writing, giving reasons in full therefor to the Bureau of Naval Personnel at least 3 months prior to the date upon which withdrawal is to be effective. A unit will not be maintained at an institution when the institution, after thorough consideration, desires its withdrawal. Ordinarily, however, a unit will be withdrawn only at the end of an academic year. The Secretary of the Navy may, upon the recommendation of the Bureau of Naval Personnel, and upon at least 3 months' notice in writing to the institution, withdraw the unit from any institution where such unit is established and rescind authorization for a unit at that institution should it be considered that the work of the unit is not compatible with the mission of the NROTC. Whenever the authorities of an institution request the withdrawal of a unit, or when in the opinion of the Professor of Naval Science a unit should be withdrawn, the Professor of Naval Science shall forward to the Bureau of Naval Personnel a report stating in full those details of the situation existing at the institution which would be of assistance to the Chief of Naval Personnel in arriving at an understanding of the facts and circumstances involved in the request or recommendation for the withdrawal of the unit.

§ 711.210 *Land-grant institutions.* The obligations of land-grant institutions to provide military instruction imposed by the Act of July 2, 1862 (12 Stat. 503; 7 U. S. C. 304), are not altered by the enacting law authorizing the NROTC, or by the regulations in this part. The military training requirements prescribed by the above act are considered to be fulfilled by students who have successfully completed 2 years of Naval Science courses and drills.

CONDITIONS OF SERVICE

§ 711.301 *Types of NROTC students.* Officer candidates in the NROTC are of two types:

(a) Regular NROTC students are appointed Midshipmen, USNR, and will be granted the compensation and benefits specified in §§ 711.701 to 711.812. In accordance with their contract (§ 711.1002 (a)), such students are obliged to make all required summer practice cruises (§ 711.508) and to serve at least 15 months on active duty after commissioning, as Ensigns, U. S. Navy, or Second Lieutenants, U. S. Marine Corps, unless sooner released by the Secretary of the Navy. Should such officers elect to terminate their regular status, they will be commissioned in the Naval or Marine Corps Reserve, and, at the discretion of the Secretary of the Navy, may be required to continue on active duty under the terms of their contract until they have completed 2 years' commissioned service. (Currently extended to 3 years as a result of the enactment of the 1951 amendments to the Universal Military Training and Service Act.) They may apply for retention as career officers in the Regular Navy or Marine Corps in accordance with § 711.313.

(b) Contract NROTC students have the status of civilians who have entered into a mutual contract with the Navy (§ 711.1002 (b)). They are not entitled to the compensation or benefits paid Regular NROTC students except that they are entitled to the uniform issue specified in § 711.803, payment of commutation of subsistence during their final 2 years of NROTC training (§ 711.703), and the practice cruise compensations specified in § 711.702. Contract NROTC students agree to accept a commission in the Naval Reserve or the Marine Corps Reserve but may, if they so desire and if their services are required, be commissioned as Second Lieutenants, USMC, and serve for a minimum of 2 years on active duty. Contract NROTC graduates given USMC commissions are appointed under the same law (Public Law 729, 79th Congress, as amended) which authorizes USMC appointments for Regular NROTC graduates, and if they desire to retain their regular commissions, they must apply for such retention in the same manner as Regular officers appointed from the Regular NROTC program. Contract NROTC students are required to make one summer practice cruise. Contract students desiring to transfer to the status of Regular students must qualify through the annual competitive examination and selection procedure.

(c) Normally both types of students shall be referred to as "NROTC students." However, the term "Midshipmen" may be also used locally in referring to all NROTC students as a group and "Midshipman" may be used as a generic term in referring to a particular student as a member of the entire group. However, in all official correspondence and records a Regular NROTC student shall be referred to as "Midshipman, USNR" or "Regular NROTC student" and a contract student shall be referred to as "Contract NROTC student."

§ 711.302 *Naval Science students.* (a) With the approval of the Professor of Naval Science and the academic authorities, civilian students who have not entered into any contract with the Navy may be permitted to pursue Naval Science courses for college credit provided the acceptance of such students will not affect adversely the instruction given to NROTC students. They will be designated as Naval Science students.

They will not be eligible to make NROTC practice cruises or to be paid any compensation or benefits. They may withdraw at their own request upon approval of the Professor of Naval Science. They will be enrolled in accordance with current directives.

(b) Naval Science students may become eligible for enrollment as Contract NROTC students, provided they comply in every respect with the requirements for such enrollment. They may also compete in the annual competition for entrance into the NROTC as Regular students.

(c) Naval Science students must be informed that they are not actually enrolled in the NROTC. They may, with the approval of the Professor of Naval Science, participate in local drills.

(d) Naval Science students shall be allowed access only to such classified instructional materials and publications as are necessary for the pursuit of Naval Science subjects and which are required in the curriculum.

(e) A Regular or Contract student who is attending an institution having compulsory military training, and who is disenrolled from the NROTC prior to the completion of the military requirements of the institution, shall be retained as a Naval Science student until the military training requirements of the institution have been completed. This procedure may be dispensed with only if the student desires to transfer to the Army or Air Force ROTC and such transfer is approved by the Professor of Military Science and Tactics or the Professor of Air Science and Tactics in accordance with the Statement of Joint ROTC Policies as approved by the Secretary of Defense.

§ 711.303 *Faculty members.* Members of the faculty may, with the approval of the Professor of Naval Science, take any of the courses of instruction prescribed for members of the NROTC. Participation in these courses will not entitle them to enrollment in the NROTC or to any pay or allowances.

§ 711.304 *Enrollment procedures.* (a) Regular NROTC students, in general, will be enrolled after a competitive selection procedure from among young men in civilian life and enlisted men in the Navy and Marine Corps. This selection is controlled by the Chief of Naval Personnel subject to the concurrence of the Commandant of the Marine Corps in the case of enlisted men of the Marine Corps, and detailed directives concerning procedures will be issued and widely distributed from time to time. Such students must be qualified for admission to an NROTC institution under the regulations of that institution.

(1) Contract students selected for regular status will be required to obtain their degrees and commissions in the same time they would normally have taken had they remained in their original contract status. They will be required to make as many cruises as possible in the time available before graduation, and if at the time of graduation they have made fewer than three cruises they will be required to make one cruise after graduation in order to qualify for a regular commission.

(2) Naval Science students selected for regular status will be treated in the same manner as Contract students selected for regular status.

(b) Contract NROTC students are to be enrolled by the Professor of Naval Science within limited numbers specified by the Chief of Naval Personnel in accordance with instructions issued from time to time. Such students must meet the qualifications specified for all NROTC enrollees in § 711.305 and must be in attendance at an NROTC institution.

(c) Naval Science students may be enrolled by the Professor of Naval Science as long as the number so enrolled is within the limits of the instructional staff and facilities available.

§ 711.305 *General qualifications for enrollment.* In general, each candidate for enrollment in the NROTC must meet the following requirements:

(a) Be an unmarried male citizen of the United States, never have been married, and agree to remain unmarried until commisioned or disenrolled.

(b) Have attained the seventeenth anniversary of his birth on or before July first of the year of enrollment and be of such age that he will not have passed the twenty-fifth anniversary of his birth on July first of the year he will be commissioned (i. e., not over 21 on July first for initial enrollment at the beginning freshman level). The Professors of Naval Science are authorized, however, to waive the minimum age requirements for Contract students of the freshman class in those cases where they consider the student involved to be of sufficient maturity to undertake the Naval Science courses and drills. A special letter report, stating the names of all students for whom such waivers have been granted, will be forwarded to the Bureau of Naval Personnel. No waiver of the age requirements for Regular students will be granted.

(c) Be morally qualified and possess officer-like qualifications and character as evidenced by appearance, scholarship, extracurricular activities, and record in his home community.

(d) Be at least a high school graduate or person of equivalent educational level if selected competitively; or, be enrolled in good standing and attending an NROTC institution if selected by the Professor of Naval Science.

(e) Be physically qualified in accordance with the requirements of the current Manual of the Medical Department for entrance into the Naval Academy.

(f) Any person receiving compensation from the United States Veterans' Administration for disability incurred in the Naval or Military service of the United States, or who has any claim pending under that Bureau on account of such disability, is not eligible for enrollment in the NROTC. Veterans who have previously filed such claims may become eligible for enrollment if (1) the Veterans' Administration has disallowed the claim or if (2) the veteran has withdrawn or (3) withdraws his claim. Procedures for establishing such eligibility shall be in accordance with current directives. All such veterans should understand that any such actions initiated by them are voluntary on their part. While no individual is required to waive any such claims, enrollment in the NROTC is contingent upon fulfilling all entrance requirements.

(g) A citizen of the insular possessions of the United States, unless he is, in fact, a citizen of the United States, is not eligible for membership in the NROTC.

(h) No member of the Regular Armed Forces in active service, or members of the Reserve or National Guard components thereof, shall be eligible for enrollment as a Regular student (Midshipman, USNR) in the NROTC while retaining his status in the other organization. In the case of Regular NROTC students having any enlisted status, the Professor of Naval Science shall, in accordance with the existing directives, request their discharge effective as of day immediately preceding the date of appointment as Midshipmen, USNR. No commissioned officer, Regular or Reserve, of any service, is eligible. Enlisted members of the Organized and Volunteer Naval or Marine Corps Reserve in an inactive duty status may be enrolled as Contract students. Members of other Reserve components of the Armed Forces although not eligible for enrollment as Contract students while retaining such status, may be enrolled as Naval Science students pending discharge from such status or transfer to the Naval or Marine Corps Reserve.

(i) Students selected for appointment as Midshipmen, USNR, or for enrollment as Contract students, who formerly attended one of the United States Service Academies, or one of the United States or State Merchant Marine or Martime Academies, shall not be appointed or enrolled without the specific approval of the Bureau of Naval Personnel. Before taking action on such cases the Bureau will obtain comments and recommendations from the head of the appropriate Academy.

(j) Students selected for appointment as Midshipmen, USNR, or for enrollment as Contract students shall be required to execute current Loyalty Certificates prior to their appointment or enrollment.

§ 711.306 *Medical examinations*—(a) *Initial examination.* (1) Each applicant for enrollment as a Contract student by the Professor of Naval Science, will be first examined to determine his physical qualifications. Standard Form 88, in duplicate, and one copy of Standard Form 89, shall be forwarded to the Chief of the Bureau of Medicine and Surgery via the Chief of Naval Personnel.

(2) Regular students need not be physically examined upon arrival, as they will already have been approved as physically qualified. Their first medical examination after enrollment will be that required by the paragraph (b) of this section.

(b) *Annual medical examinations.* The Professor of Naval Science shall require each student enrolled in the NROTC to be physically examined during the last semester or quarter of each academic year and Standard Form 88, in duplicate, shall be forwarded as prescribed in paragraph (a) of this sec-

tion. Each copy of Standard Form 88 shall contain the student's officer file number. This examination may be given at the same time as the pregraduation medical examination required by paragraph (e) of this section.

(c) *Health records.* Health records shall be opened for both Contract and Regular students at their first medical examination after entry into the NROTC.

(d) *Vaccinations and inoculations.* At the time of the annual medical examinations, appropriate vaccinations and inoculations should be given to all students expecting to go on the summer cruise or to camp.

(e) *Pregraduation medical examinations.* Graduating students must be given their pre-commissioning medical examination at least 90 days, and in no case more than 180 days, prior to commissioning. In the case of spring term graduates, the pre-commissioning medical examination will also be considered as their annual medical examination. The pre-commissioning medical examination, which must be conducted by a Board of Medical Examiners, shall include, whenever possible, roentgenographic examination of the chest and serologic tests for syphilis. (If it is impracticable to conduct roentgenographic or serologic tests as part of the pregraduation medical examination, a statement to that effect shall be made on the Standard Form 88 and on NavMed H-8 (Medical History Sheet), with a request that these examinations be conducted at the first active duty station.) This pregraduation medical examination shall be conducted in accordance with the appropriate provisions of the Manual of the Medical Department, and qualifications shall be as specified therein. The report thereof on Standard Form 88, in duplicate, and one copy of Standard Form 89, shall be forwarded as prescribed in paragraph (a) of this section with the application for commission. The student's officer file number shall be entered on the Form 88. The purpose of the medical examination shall be clearly indicated on the Form 88 as appropriate, i. e., Appointment to Commissioned Rank as Ensign, line (or SC or CEC) in the U. S. Navy (or Naval Reserve) or Second Lieutenant in the U. S. Marine Corps (or Marine Corps Reserve). The following statements, in duplicate, shall be attached to the Standard Form 88: "We hereby certify that the examined candidate is (is not) physically qualified for appointment to commissioned rank as Ensign, line, in the U. S. Navy (or as appropriate)," over the signature of the Board of Medical Examiners; and "I certify that I have informed the Board of Medical Examiners of all the bodily ailments which I have suffered, and to the best of my knowledge and belief, I am free from any bodily or mental ailments (except those as follows:)," over the signature of the candidate examined.

(f) *Visual standard.* Visual standard for original enrollment in the NROTC is 20/20 in each eye, uncorrected. Any NROTC student whose vision in either eye falls below 20/40 shall be recommended for disenrollment, except those specifically designated for staff corps appointments. In every case where a student's vision has dropped below 20/100 (4/20), he shall be recommended for disenrollment. In every case where a student presents visual acuity below 20/20, which is not fully correctable to 20/20, he shall be recommended for disenrollment.

(g) *Disposition of physically disqualified.* Students not meeting physical standards shall be recommended for disenrollment (Art. 307).

(h) *Assistance.* The Professor of Naval Science shall request from the Commandant of the Naval District whatever medical or dental assistance may be required for carrying out any of these medical examinations.

§ 711.307 *Disenrollment*—(a) *General.* Any NROTC student dropped by the institution for academic failure or any other reason shall be immediately disenrolled by the Professor of Naval Science. The date of disenrollment shall be set by the Professor of Naval Science and reported to the Bureau of Naval Personnel on the Student Disenrollment Report (NavPers 364). In the case of Regular students and those Contract students qualified for entitlement to payment for subsistence, a copy of NavPers 364 shall be forwarded to the Navy Accounts Disbursing Office carrying the students' pay records so that payment to these students can be terminated at the proper time. If a Contract student, no further correspondence will be required. If the student being disenrolled is a Regular student, the Chief of Naval Personnel will recommend to the Secretary of the Navy that appointment as Midshipman be terminated. If approved by the Secretary, the letter of termination will be prepared by the Chief of Naval Personnel, and appointment terminated retroactive to the date set by the Professor of Naval Science.

(b) *Physical.* The Professor of Naval Science shall recommend to the Chief of Naval Personnel direct, on NavPers 364, the disenrollment of any student who does not meet the required physical standards for retention in the NROTC. Recommendations shall be accompanied by Standard Form 88, in duplicate.

(c) *Academic.* The Professor of Naval Science shall recommend to the Chief of Naval Personnel the disenrollment of any NROTC student whose general academic record is such as to make his value as an officer in the Navy doubtful. Such recommendations shall be submitted on NavPers 364 and shall include a complete statement of the student's academic record to date with an estimate by the academic authorities of the student's academic performance and capabilities. This recommendation may be made at any time during the student's course. Any considerable deficiency in the quality of a student's work in Naval Science courses will be considered grounds for such a recommendation, regardless of the quality of his other academic work.

(d) *Disciplinary.* The Professor of Naval Science may recommend for disenrollment any student from the NROTC for disciplinary reason as specified in § 711.408 to be reported as prescribed by paragraph (c) of this section.

(e) *Inaptitude.* The Professor of Naval Science shall recommend to the Chief of Naval Personnel on NavPers 364 the disenrollment of any student who has demonstrated at any stage of training such lack of officer aptitude as to make his further retention unjustified.

(f) *Special reasons.* In special cases, generally involving unusual hardship, the Chief of Naval Personnel may direct the disenrollment of an NROTC student for "special reasons." Disenrollments for "special reasons" will be the exception and not the rule and should be recommended by the Professor of Naval Science only in very unusual circumstances and after personal investigation of the facts presented by the student.

(g) *Own request.* The Professor of Naval Science may disenroll at their own request (Bureau approval not being required) the following types of NROTC students:

(1) Regular students at any time prior to the end of their first year of NROTC training. For the purposes of this type of disenrollment, the first year of training shall be considered as completed with the beginning of the first semester or fall quarter of the second academic year. A Regular student in his first year of training whose disenrollment is pending or who would normally be disenrolled or recommended for disenrollment for the reasons specified in paragraphs (a) to (e), inclusive, of this section, shall not be disenrolled at his "own request." Upon receipt of information from the Professor of Naval Science that a Regular student has been disenrolled in accordance with the provisions of this paragraph, the Chief of Naval Personnel will recommend to the Secretary of the Navy that the appointment as Midshipman be terminated. If approved by the Secretary, the letter of termination of appointment and discharge from the Naval Service will be prepared by the Chief of Naval Personnel and the appointment terminated retroactive to the date of disenrollment from the Naval Reserve Officers' Training Corps as effected by the Professor of Naval Science.

(2) Contract students who have not yet qualified for entitlement to payments on account of commutation of subsistence.

(h) *Statements from students concerning disenrollment recommendations.* (1) A student being recommended for disenrollment for disciplinary reasons or because of inaptitude shall be offered the opportunity of presenting a signed statement in his own behalf concerning the circumstances which have resulted in the disenrollment recommendation.

(2) If the disenrollment recommendation is for disciplinary reasons due to the student's refusal to fulfill the provisions of his signed contract with the Secretary of the Navy, he shall acknowledge in his written request to the Bureau of Naval Personnel that he is aware of the obligations he assumed in his agreement or contract with the Navy and, furthermore, that he understands that disenrollment for disciplinary reasons as stated above, if effected, will be prejudicial to his interests if he should ever apply for a commission in the armed services.

(i) *Disenrollments (own request) requiring Bureau approval.* A Regular NROTC student subsequent to his first year of NROTC training as defined above in this section, or a Contract NROTC student who has qualified for entitlement to payments on account of commutation of subsistence, may withdraw at his own request only when such request is approved by the Professor of Naval Science and the disenrollment has been authorized by the Chief of Naval Personnel. Release at their own request of students described in this paragraph will be approved only under the provisions of paragraphs (b) to (f), inclusive, of this section.

(j) *Continuance as Naval Science students.* Students disenrolled for any of the above reasons before the end of an academic term may be authorized by the Professor of Naval Science to complete the current term of Naval Science as Naval Science students.

(k) *Procedures for disenrollment and termination of appointment.* In effecting disenrollments (under paragraphs (b) to (f), inclusive, of this section) of Regular students and of Contract students who have qualified for entitlement to payments on account of commutation of subsistence, the following procedures will be followed:

(1) The Chief of Naval Personnel will review the case and approve or disapprove the recommendation for disenrollment. If approved, the Chief of Naval Personnel will direct the student's disenrollment from the Naval Reserve Officers' Training Corps, such disenrollment to be effective upon the date designated by the Chief of Naval Personnel.

(2) In the case of a Regular student whose disenrollment has been directed, the Chief of Naval Personnel will recommend to the Secretary of the Navy that the appointment as Midshipman be terminated. If approved by the Secretary, the letter of termination of appointment and discharge from the Naval Service will be prepared by the Chief of Naval Personnel and the appointment terminated retroactive to the effective date of disenrollment from the Naval Reserve Officers' Training Corps as set by the Chief of Naval Personnel.

§ 711.308 *Transfer between NROTC institutions.* (a) A Regular NROTC student may transfer from the NROTC Unit at one institution to the NROTC Unit at another if honorably released by the first institution and accepted by the second institution; *Provided*, That his transfer is approved by the Professors of Naval Science at both institutions and by the Bureau of Naval Personnel.

(1) The Professor of Naval Science of the NROTC Unit at the first institution shall include in his endorsement (if not in the student's request) a statement of the exact field of study the student proposes to follow together with any information which would be of assistance to the Professor of Naval Science and the academic authorities of the second institution in determining the student's probable acceptance for admission. There should be enclosed with this endorsement a transcript of the student's academic record, together with a statement of the courses in progress. This transcript need not be forwarded to the Bureau of Naval Personnel.

(2) The Professor of Naval Science of the NROTC Unit at the second institution in forwarding his recommendation to the Bureau shall include a statement as to the probable action of the academic administrative authorities on the student's request. His forwarding endorsement shall also state what effect, if any, on the student's date of commissioning will be entailed by the requested transfer if effected.

(3) The Bureau, upon favorable recommendation from the Professors of Naval Science, will generally approve those transfers which are motivated by reason of unusual personal hardship, or the impossibility of obtaining the required courses for certain degrees.

(4) The Bureau will view unfavorably those requests for transfers which are motivated by reason of personal convenience or desire, particularly those which stem from the fact that a student is not attending the school of his first choice. Such transfers would be in direct conflict with the principles established in the Plan of Distribution of NROTC Students adopted jointly by the Association of NROTC Colleges and by the Bureau of Naval Personnel.

(b) A Contract NROTC student may transfer from one NROTC institution to another under the conditions specified in the first sentence of paragraph (a) of this section, except that prior approval of the Bureau of Naval Personnel will not be required. He must agree to continue his mutual contract with the Navy.

(c) A Naval Science student who transfers from one NROTC institution to another may be reenrolled as a Naval Science student provided he is recommended by the Professor of Naval Science of the institution from which transferred.

(d) The Professor of Naval Science of the institution from which such transfer is made shall forward to the Professor of Naval Science of the institution to which the transfer is made:

(1) An official transcript,

(2) A complete listing of IBM items established for the student,

(3) Marks for all Naval Science courses completed and aptitude marks (4.0 basis),

(4) Health Record (Form H),

(5) Pay Accounts (Regular students),

(6) For Contract students:

(i) Date admitted to advanced standing for commutation of subsistence,

(ii) Date on which commutation of subsistence was discontinued because of transfer.

(iii) Three certified copies of student's contract.

§ 711.309 *Appointment of NROTC students to service academies.* (a) Any student enrolled in the NROTC who is selected for appointment to one of the Service Academies, will, upon his actual entrance into the academy, be released from his NROTC contract with the Secretary of the Navy.

(b) The provisions of § 711.310 shall, insofar as applicable, be applied to NROTC students entering any of the Service Academies.

§ 711.310 *Entry of NROTC students into the U. S. Naval Academy*—(a) *Eligibility for entry.* Members of the NROTC, either as Regular or Contract students, are eligible for appointment to the Naval Academy by any of the existing procedures, with the following single exception: Only Contract students will be permitted to compete for appointment to the Naval Academy by competitive examination from among members of the NROTC, as provided by an act of February 27, 1936, ch. 89, 49 Stat. 1144, as amended. This act authorizes the Secretary of the Navy to appoint not more than 20 midshipmen annually to the Naval Academy from among the honor graduates of educational institutions which are designated as honor schools by the Department of the Army or the Department of the Navy, in accordance with regulations established by the Secretary of the Navy, and from among members of the NROTC.

(b) *Procedures for effecting entry.* The entry of NROTC students, both Regular and Contract, into the Naval Academy shall be effected in accordance with the following procedures:

(1) The candidates will be informed by the Bureau of Naval Personnel as to the date on which they should report to the Naval Academy. It is expected that the reporting date will generally be about July 1, or as soon thereafter as the candidates become eligible for call.

(2) Upon sighting evidence from the Bureau of Naval Personnel that the student has been authorized to report at the U. S. Naval Academy, Annapolis, Maryland, to be sworn in as a midshipman, the Professor of Naval Science shall place the student in a leave of absence status from the NROTC effective upon the day on which the student is due to report at the U. S. Naval Academy, Annapolis, Maryland.

(3) The records, accounts, and as much as possible of government clothing and equipment shall be retained at the NROTC unit or activity holding the accounts.

(4) The Professor of Naval Science shall ascertain from the Superintendent of the Naval Academy the date upon which the student was appointed Midshipman, USN. The Professor of Naval Science shall then disenroll the student from the NROTC (special reasons—to accept appointment at USNA) effective on the day prior to date of appointment at the Naval Academy.

(c) *Students authorized to report to USNA but who are not appointed.* (1) In case a student, placed in a leave status in accordance with the provisions of this section, is not appointed midshipman at the Academy, his leave of absence status from the NROTC shall be terminated by the Professor of Naval Science effective upon the first day of the fall term of college.

(2) Students will have qualified physically for appointment as Midshipmen, USN, prior to the forwarding of the authorizations referred to in paragraph (b) (2) of this section. However, if due to some condition arising subsequent to the issuance of the authority to report, a student upon reporting at the Academy is found not physically qualified for appointment as Midshipman, USN, he shall

immediately notify the Professor of Naval Science who may then order him to an appropriate NROTC summer cruise if he is physically qualified for retention in the NROTC. Otherwise he shall be recommended to the Bureau of Naval Personnel for disenrollment for physical reasons. The recommendation for disenrollment will be approved only after it is determined that the student is not physically qualified for retention in the NROTC.

(d) The Professor of Naval Science will not be required to obtain Bureau approval prior to his taking the actions described in paragraphs (b) and (c) of this section.

§ 711.311 *Delay in completion of course.* In certain cases, because of institutional requirements for certain degrees, minor academic deficiencies, illness, or other legitimate reasons, it may become necessary to allow a student one or more additional semesters to enable him to qualify for his first baccalaureate degree. If recommended by the Professor of Naval Science and authorized by the Bureau of Naval Personnel, such additional time may be allowed. However, the total time during which a Regular student may be retained in a regularly enrolled NROTC status, receiving benefits and retainer pay, may not exceed four academic years. Similarly, a Contract student may not receive commutation of subsistence for a period exceeding two academic years plus one intervening summer vacation.

(a) Where it is necessary to extend the normal time for completion of degree requirements, the student may be placed in a leave status, without compensation or allowances, for such periods as are necessary to comply with the requirements of the program of studies as normally conducted by the institution. While in such leave status the student will not be eligible to receive the compensation or benefits paid to, or in behalf of, NROTC students under instruction, nor will he be required to take any Naval Science courses.

(b) In the case of students who are regularly enrolled in college cooperative programs requiring alternate periods of employment in industry or business and normally requiring 5 years for the completion of a baccalaureate degree, leave status may be established during the periods in which a student is engaged in such employment and is not effectively in residence at the institution, or upon the completion of the fourth year of his academic program if he has remained in residence (on a part-time basis) throughout 4 years of the program.

(c) A student enrolled in a curriculum normally requiring 5 years for completion who chooses to receive his retainer pay and benefits in successive years beginning with his first year of NROTC training will be placed in a leave status, without compensation, at the end of his fourth year of such training in order that he may continue to completion the curriculum leading to his degree. While in such leave status he will not be eligible to receive the compensation or benefits paid to, or in behalf of, NROTC students under instruction, nor will he be required to take any Naval Science courses. A student in this category who is about to complete his fifth year of college training should be reported to the Bureau of Naval Personnel by the Professor of Naval Science at the same time he reports the names of all other prospective graduating students. Upon the completion of his fifth academic year and the granting of the baccalaureate degree, he will be commissioned at the same time and in the same manner as other NROTC students who have completed a normal 4-year course and receive the baccalaureate degree at that time.

(d) A student enrolled in a curriculum normally requiring 5 years for completion who chooses to receive his retainer pay and benefits other than during his first 4 years of NROTC training, may be placed in a leave status, without compensation, during any one of the 5 years, and will be commissioned at the end of his fifth year, as in the preceding paragraph.

(e) The Professor of Naval Science is authorized to place in or to remove from leave status, students of the types described in paragraphs (b), (c), and (d) of this section. While prior Bureau approval will not be required in these cases, the Professor of Naval Science shall advise the Bureau of Naval Personnel of such action whenever taken.

(f) The Professor of Naval Science is also authorized to place students in a leave status for physical reasons; i. e., illness, suspected illness, or convalescence from illness, without prior Bureau approval. He must, however, inform the Bureau of such action whenever taken, and include a report of diagnostic examination for the student concerned. If possible, the examination should be conducted by Navy medical officers. In order to remove a student from a leave status which has been granted for physical reasons, the Professor of Naval Science must request permission from the Bureau and include with the request a Report of Medical Examination (Standard Form 88), in duplicate, as well as a clinical abstract of any treatment afforded the student while on leave.

(g) Recommendation for commissioning and other administrative action pertinent thereto shall be forwarded at the same time and in the same manner as for NROTC students completing a four-year program, even though the student is in leave status at the time of such action.

§ 711.312 *Commissioning procedure.* (a) Regular and Contract NROTC students, upon successful completion of the prescribed Naval Science courses, and upon satisfactory completion of requirements for a degree, will be commissioned in the Navy or Naval Reserve, or in the Marine Corps or Marine Corps Reserve, respectively, depending upon the needs of the service, if recommended by the Professor of Naval Science and approved by the Secretary of the Navy. The Professor of Naval Science shall determine whether the student is in all respects academically qualified for appointment. However, the responsibility of the Professor of Naval Science shall not extend to the point of determining whether a Staff Corps candidate is professionally qualified for Staff Corps appointment, since, by law, this is the responsibility of the appropriate Naval Examining Board. No student shall be recommended for appointment until he has been carefully appraised by the Professor of Naval Science not only academically but also for officer-like qualities and general ability. Candidates need not submit individual applications for commissions except as noted below.

(b) The Bureau of Naval Personnel will promulgate instructions relative to the appointment, during each calendar year, of Regular and Contract NROTC students in the Supply Corps, U. S. Navy. These instructions will be forwarded to all Professors of Naval Science as soon as practicable after the beginning of each calendar year. Normally the percentage of NROTC graduates appointed annually in the Supply Corps, U. S. Navy, will be in proportion to the percentages of such officers authorized by law for the regular Navy.

(c) The Professor of Naval Science shall forward NROTC Rosters for Graduating Students in accordance with directives which will be issued from time to time. The following additional documents will also be required:

(1) One completed Application Control and Processing Form (NavPers 989) for each prospective graduate shall be forwarded by the Professor of Naval Science to the Chief of Naval Personnel to arrive 90 days prior to graduation. The form must indicate the type of appointment for which the graduate is a candidate, and must be signed by the Professor of Naval Science.

(2) Report of Medical Examination (Standard Form 88), in duplicate, and one copy of Report of Medical History (Standard Form 89) for each prospective graduate shall be forwarded by the Professor of Naval Science to the Chief of Naval Personnel to arrive 90 days prior to graduation. The above forms will constitute the report of the precommissioning medical examination. This examination shall be conducted not more than 180 days prior to the date on which the prospective graduate should be eligible in all respects for commissioning.

(3) Applicants for appointment to commissioned rank in the Navy or Marine Corps or the Naval or Marine Corps Reserve who have a claim pending for or who are drawing a pension, disability allowance, or disability compensation from the Government of the United States, are not eligible for appointment to commissioned rank in the Navy or Marine Corps or the Naval or Marine Corps Reserve, even though they may have been found physically qualified by a Board of Medical Examiners and the Bureau of Medicine and Surgery for such appointment.

(d) If student is a candidate for a Staff Corps (USN–USNR) or Marine Corps (USMC–USMCR) commission, the following information shall be included with that required by paragraph (c) of this section:

(1) Request for Staff Corps commissions for those who so desire and who have been nominated in accordance with existing instructions. Each applicant

for appointment in the Staff Corps, USN or USNR, shall indicate in his request therefor, the type appointment desired if not selected for appointment in the Staff Corps.

(2) Application for commission in the Marine Corps for each Marine Corps candidate (§ 711.603 (c)).

(3) Transcript of student's educational record including a list of the courses in which enrolled for the current term. (No duplicate required.) Upon completion of the current term, final grades shall be forwarded, as soon as practicable, for inclusion in the officer's file.

(e) In all cases where Contract NROTC students desire appointment in the Marine Corps rather than in the Marine Corps Reserve, as provided in §§ 711.301 (b) and 711.313 (b), the Professor of Naval Science shall obtain and forward with his endorsement, along with the reports and applications specified in paragraphs (c) and (d) of this section, each student's request for such appointment, in duplicate. The student's request shall be in letter form, addressed to the Secretary of the Navy, via the Commandant of the Marine Corps, and shall include an agreement to serve on active duty for a period of 3 years upon appointment. (See section 7 of the act of August 13, 1946, ch. 962, 60 Stat. 1057, as amended; 34 U. S. C. 1020). To be submitted only in accordance with existing instructions or specific directive. (See also, §§ 711.601 (c) and 711.603 (a).)

(f) The Professor of Naval Science is authorized and directed to withhold the commission of any student who fails to fulfill all of the requirements for graduation and commissioning. In every case where the appointment and commission are withheld, the Professor of Naval Science shall return the commission, and NavPers 339 (Acceptance and Oath of Office) to the Bureau of Naval Personnel with a letter of transmittal indicating the reason therefor, and making appropriate recommendations concerning extension of the time allowed for completion of the requirements, placing the student in a leave status (§ 711.311), or disenrollment of the student.

(g) The Professor of Naval Science shall forward to the Chief of Naval Personnel, as soon after graduation as possible, a transcript of each student's academic record, with the exception of those already sent in for the staff corps applicants.

§ 711.313 *Commissioned status upon completion.* (a) Regular NROTC students, if in all respects qualified, are commissioned in the U. S. Navy or Marine Corps upon successful completion of the course. In accordance with their contract (§ 711.1002 (a)), Regular NROTC students are required to serve as Regular officers on active duty for at least 15 months. Officers may apply for retention in the Regular Navy or Marine Corps during their third year of service, and if selected will continue in the Navy or Marine Corps as career officers. Should they elect to terminate their Regular status, they will be commissioned in the Naval or Marine Corps Reserve, and, at the discretion of the Secretary of the Navy, may be required to continue on active duty, under the terms of their contract and Deferment Agreement, until they have completed a total of 3 years of commissioned service. They will then be placed on inactive duty to remain in that status until their commissioned service totals a minimum of 8 years in accordance with their agreement made pursuant to sec. 6 (d) of the Universal Military Training and Service Act.

(b) Contract NROTC students, upon being commissioned, may be required, in accordance with their Deferment Agreement, to serve on active duty for a period of 2 years, and a total obligated service of eight years. They may receive commissions in the Marine Corps, if accepted under current quotas, and will have the same options of service, including retention as Regular officers, that Regular NROTC students have. Otherwise, they will be commissioned in the Naval Reserve or Marine Corps Reserve.

(c) Naval Science students will not be eligible for commissions under NROTC provisions but may be eligible under separate procurement procedures open to any college graduate. Directives covering such procurement will be issued separately when required.

§ 711.314 *Determination of precedence upon commissioning.* (a) All Ensigns of the Navy and Second Lieutenants of the Marine Corps commissioned in accordance with the act of August 13, 1946, ch. 962, 60 Stat. 1057, as amended (34 USC 1020), are assigned as their date of rank the date of graduation at the Naval Academy in that year and are assigned precedence according to their demonstrated performance.

(b) In order to provide a basis for determination of precedence, as soon as practicable after each graduation the Professor of Naval Science shall prepare and forward to the Bureau of Naval Personnel (Attn: Pers C124) a report (NavPers 391), Class Standing of NROTC Students Commissioned.

(c) In the period of service pending the determination of precedence of Ensigns of the Navy and Second Lieutenants of the Marine Corps commissioned in any year, the following general rules will apply:

(1) Officers commissioned between January 1 and the date of graduation of midshipmen from the Naval Academy, both dates inclusive, shall have precedence among themselves in the order of alphabetical listing of names and shall be senior to the graduating class of the Academy and to officers commissioned later in the year.

(2) Officers commissioned upon graduation from the Naval Academy shall take precedence among themselves in accordance with their class standing upon graduation, and shall be senior to officers commissioned subsequent to the date of graduation from the Academy in the same calendar year.

(3) Officers commissioned between the day following the date of graduation of midshipmen from the Naval Academy and December 31 of the same year shall take precedence among themselves in the order of alphabetical listing of names and shall be senior to officers commissioned in the ensuing year.

§ 711.315 *Civil Engineer Corps commissions.* Eligibility for initial commissions in the Civil Engineer Corps will be limited to those NROTC students who successfully completed the Navy CEC summer training during the summer of 1950 or 1951.

§ 711.316 *Specialized training or change in designator.* An NROTC graduate, upon receiving a commission, is normally ordered to duty commensurate with the type of commission awarded and designator assigned. Subsequent thereto, he may desire that his Corps or designator be changed or that he be assigned to some kind of specialized training. Requests for such changes or for assignment to specialized training such as flight, submarine, or electronics may be submitted by officers in accordance with directives in effect at the time of submission.

ADMINISTRATION

§ 711.401 *General policies.* (a) Supervision, control, and direction of the NROTC will be administered by the Navy Department through the Bureau of Naval Personnel, which is hereby given all necessary authority in the premises.

(b) The supervisory powers of the Bureau of Naval Personnel over the NROTC are delegated to the Commandants of the Naval Districts in all matters except those which have been expressly reserved to the Navy Department and the Bureau of Naval Personnel in these and other Regulations of the Navy Department.

(c) Civilian heads of institutions have the same academic relationship with the Department of Naval Science that they ordinarily have with other departments of the institution.

§ 711.402 *Communications.* It shall be the responsibility of the Professor of Naval Science to see that the information contained in NROTC Bulletins, Memoranda, and letters to all Professors of Naval Science is properly disseminated to appropriate college and university officials.

§ 711.403 *Inspections.* The Commandant of the Naval District shall inspect the NROTC units in his District in accordance with Article 0504, United States Navy Regulations, 1948. An inspection of this character should be made at least once each academic year.

§ 711.404 *Review of accomplishments.* Annual review of the efficiency of the NROTC program at each NROTC institution may be made by a committee appointed by the Secretary of the Navy, consisting of civilian educators and representatives of the Training Division, Bureau of Naval Personnel, and Headquarters, U. S. Marine Corps.

§ 711.405 *Officer and enlisted personnel.* (a) The detailing of officers and enlisted personnel for duty with NROTC units and relief therefrom is a function of the Chief of Naval Personnel or the Commandant of the Marine Corps, as appropriate.

(b) The number of officers and enlisted men assigned to duty with NROTC units will be determined by the Bureau of Naval Personnel, based upon the exigencies of the Naval Service and the personnel requirements of the units.

(c) The institution will normally be notified by the Bureau before any change of officer personnel is made. Only personnel acceptable to the institution will be ordered thereto.

(d) Special reports on enlisted personnel who have served as instructors in the NROTC program shall be prepared by the Professor of Naval Science. Such reports, prepared according to current directives, shall be forwarded for each enlisted man completing a tour of duty as an instructor.

§ 711.406 *Head of Department of Naval Science.* (a) The head of the Department of Naval Science at an educational institution where a unit of the NROTC is established is the officer ordered as Professor of Naval Science by the Chief of Naval Personnel. He shall be the senior commissioned line officer of the Navy or Marine Corps ordered to duty with the NROTC unit at that institution. He shall be designated the Professor of Naval Science and Commanding Officer of the NROTC Unit.

(b) He will have the academic standing which the institution accords the heads of its other major departments. He will be a member of the university, college, or school faculty, with the appropriate rights and privileges of a faculty member.

(c) He is a subordinate, in his strictly military capacity, of the Commandant of the Naval District and is subject to his orders. Such orders shall not infringe upon the province of institutional regulations. He is subject, in his academic capacity, to institutional regulations.

(d) He shall be responsible for carrying out policies relative to the administration of the NROTC in the unit under his command. He is responsible that the proper institutional authorities are advised as to the provisions of law and regulations in all matters affecting the conduct of the NROTC unit maintained at the institution.

(e) At those NROTC institutions where student officers are undertaking post-graduate courses under the general supervision of the U. S. Post-Graduate School, the Professor of Naval Science will act as their Commanding Officer and conduct administrative affairs in connection with their military supervision and conduct. The Superintendant of the Post-Graduate School will exercise, through the Professor of Naval Science, supervision over educational matters pertaining to such student officers.

(f) The Professior of Naval Science will act as the Commanding Officer of all student officers ordered to the institution for duty under instruction in connection with the Navy's Five-Term Program.

§ 711.407 *Duties and status of additional officers and of enlisted men.* (a) Officers and enlisted men ordered to report to the Professor of Naval Science at an educational institution for duty at that institution shall perform such duties as may be assigned them by the Professor of Naval Science.

(b) In order that the maximum integration possible may be achieved between the Naval Science and other academic courses, it is desired that the officers assigned to the staff of the Professor of Naval Science be made members of the university or college faculty in appropriate ranks and be accorded the rights and privileges of faculty members. As such, it is desired that the Professor of Naval Science encourage the institutional authorities, when appropriate, to use these officers on special faculty committees in order that their services may be utilized in the same manner as are the services of all other faculty members. It is further desired that all NROTC staff members accept invitations which may be extended them to join special college or school faculties within the university and join faculty clubs or societies and faculty-student organizations.

§ 711.408 *Discipline.* (a) Officers on duty in connection with NROTC units shall require NROTC students to conduct themselves in a military manner at all times when the students are under naval jurisdiction, i. e., when attending Naval Science classes, drills, and exercises, and during summer training periods.

(b) NROTC students in uniform shall observe all the courtesies and traditions of the service.

(c) Students may be disenrolled from the NROTC for cause by the Professor of Naval Science as a disciplinary measure upon approval of the Chief of Naval Personnel. In such cases college authorities shall be consulted and their recommendations given due weight. Such recommended disenrollments shall be reported on the NROTC Disenrollment Form.

§ 711.409 *Student identification cards*—(a) *Regular students.* All regular NROTC students shall be issued DD Form 2N (Inactive)—1 January 1950. These forms may be procured by official request to the nearest District Publications and Printing Office.

(b) *Contract students.* All Contract NROTC students shall be issued form NavPers 390 (Rev. 2–51). These forms may be procured by official request to the Chief of Naval Personnel, attention Pers C–1242.

§ 711.410 *Residence and uniform of officers and enlisted men.* Officers and enlisted men performing duty with NROTC units shall, when practicable, reside at or near the educational institution in which the unit to which they are assigned is established. In the performance of their duties they shall wear the uniform prescribed by the Professor of Naval Science, or senior naval officer present.

§ 711.411 *Conducting additional courses of instruction or taking courses of instruction offered by an institution.* (a) The primary academic duty of officers and enlisted men detailed to duty with an NROTC unit shall be that of administration and instruction. This shall not be considered, however, as prohibiting officers and enlisted men from conducting courses of instruction in other departments of the educational institution when the Professor of Naval Science considers this procedure advisable and conducive to closer liaison with the institution. In no case, however, will the teaching of an academic course be considered sufficient reason for modification of orders.

(b) Professors of Naval Science may pursue a course of instruction conducted by an educational institution upon approval of the Bureau of Naval Personnel. Professors of Naval Science may authorize officers and enlisted men under their command to pursue courses of instruction at institutions. Such authorization shall not in any way interfere with the proper discharge of Naval duties, which duties at all times shall be considered paramount.

(c) Enrollment in courses of study at the institution shall be subject to the regulations of the institution and with the consent of the authorities of the institution.

§ 711.412 *Recreation funds.* (a) Expenditures from Navy Recreation Funds are restricted to the benefits of personnel on active duty, members of Organized Reserve Units and, at certain isolated stations, civilian employees and dependents when specifically authorized by the Chief of Naval Personnel. NROTC students are, therefore, prohibited from participating in such funds.

(b) NROTC units may maintain a recreation fund for active duty personnel only. The administration of that fund shall be in accordance with current regulations governing Navy Recreation Funds.

(c) The establishment of NROTC Student Recreation Funds is authorized. Such a fund, however, must be obtained from local sources and separated at all times from the NROTC unit Recreation Fund. No report of an NROTC Student Recreation Fund need be made to the Bureau of Naval Personnel.

§ 711.413 *Armed Forces Day observance.* The Professor of Naval Science shall cooperate insofar as possible with the District Commandants and university authorities in the observance of Armed Forces Day, in accordance with the instructions issued annually by the Secretary of Defense.

TRAINING

§ 711.501 *General.* Training in the NROTC shall so supplement the academic courses of study given by an educational institution that, upon completion of the course in Naval Science, NROTC students will possess the following essential qualifications of a junior officer of the Navy or Marine Corps:

(a) A good general education.

(b) A general knowledge of essential Naval subjects.

(c) A well-disciplined mind and body.

(d) An alacrity to assume intelligent responsibility and initiative.

(e) A well-developed sense of Naval ideals, customs, and traditions.

§ 711.502 *Advanced standing and degree credit (Naval Science).* (a) The successful conduct of NROTC units de-

pends in a large measure upon the granting of credit on the same basis, hour for hour, for practical and theoretical instruction in Naval Science as is given for laboratory and classroom work in other departments.

(b) When approved by the Professor of Naval Science, courses successfully completed as a student in the NROTC at another institution or as a student at one of the United States or State Merchant Marine or Maritime Academies may be counted toward advanced standing in Naval Science without substantiating examination if such courses parallel the content of Naval Science courses.

(c) Any enlisted man in the naval service or any male citizen who has had active military or naval service may be given such advanced standing in Naval Science as his previous education and training justify. Substantiating examinations, administered by a Professor of Naval Science, must be successfully completed in order to justify such advanced standing. Since advanced standing for a portion of a course will not be allowed, these examinations shall cover the complete contents of the course involved.

(d) If the advanced standing in Naval Science, received in accordance with paragraphs (b) and (c) of this section, is such as will permit the student to complete the Naval Science requirements at the same time or before attaining his baccalaureate degree, he will be treated in the same manner as a Contract student transferring to regular status (§ 711.304 (a) (1)).

(e) The granting of advanced standing in Naval Science as described in paragraphs (b) and (c) of this section shall be understood to involve only the excusing of an NROTC student from scheduling a particular Naval Science subject required for a commission. It is advanced standing in the Department of Naval Science only and must not be confused with college credit toward a degree. Such credit may be established only in accordance with all rules of the institution governing acceptance of credits by examination. It is a matter over which the institution has complete jurisdiction.

§ 711.503 *Advanced standing (academic).* (a) Regular NROTC students entering the program with prior college credit but no prior Naval Science credit may, in accordance with existing instructions, be given advanced standing in Naval Science by reason of former service experience or attendance at a Service or Maritime Academy. If the advanced standing is sufficient to permit the student to complete the Naval Science requirements at the same time or before he attains his baccalaureate degree, he will be treated in the same manner as Contract students transferring to regular status.

(b) Students entering regular status with prior college credit and who cannot qualify for advanced standing in Naval Science will be continued in college until they complete the Naval Science requirements. The period of college during which retainer pay and other benefits of Regular NROTC students may be received, will be a maximum of four years, not more than three of which may be in graduate work. The time in college may be shortened if, by arrangement with the Professor of Naval Science and the college, the student doubles up in his Naval Science courses, completing all Naval Science requirements in less than four years. Students discussed in this paragraph shall meet the same cruise requirements as Contract students transferring to regular status.

(c) NROTC students will not be permitted to enroll in professional curricula unless the first baccalaureate degree will be received simultaneously with or before completion of Naval Science requirements.

§ 711.504 *Courses of instruction.* (a) Subjects and outlines of courses of study for the Department of Naval Science are prescribed by the Bureau of Naval Personnel.

(b) The Professor of Naval Science may approve the request of a student for the substitution of a college course for a similar Naval Science course. Any such substitution shall be reported to the Bureau of Naval Personnel and provision shall be made to give a special supplementary course in the purely naval subjects not covered by the college course.

(c) Each Professor of Naval Science shall prepare schedules of instruction and practice periods, based on the curricula prescribed by the Bureau of Naval Personnel and adapted to the time allowed the Department of Naval Science by the academic authorities of the institution.

§ 711.505 *Supply Corps courses.* (a) Naval Science courses in Supply Corps subjects are offered at approximately one-fourth of the NROTC institutions.

(b) NROTC students desiring to apply for Supply Corps courses should do so during their second year of NROTC training. Selection of applicants will be made at the end of that year by the Professors of Naval Science and the Supply Corps instructors of the NROTC units at which such courses are given.

(c) Candidates selected shall complete (1) during their first 2 years of NROTC training the Naval Science courses regularly prescribed for those years, (2) the course in Naval Justice and Leadership (NS 413) during their fourth year of training, and (3) specialized Supply Corps Naval Science courses during the third year and that portion of the fourth year during which Naval Justice and Leadership is not being studied. While on the summer cruise between the junior and senior years, they shall complete the prescribed practical training in regular supply duties afloat.

(d) While the provisions of this section establish the procedure to be followed by students desiring Supply Corps commissions, all NROTC students are eligible to apply for such commissions upon graduation regardless of which Naval Science courses were completed. However, if the number of applicants for Supply Corps commissions, USN, exceeds the quota currently established for such commissions, priority will be given to those students who have fulfilled the requirements of this section. Final selection of candidates for USN commissions will be made by a Board composed of Supply Corps officers.

(e) The Professor of Naval Science may select from among Contract students desiring USNR commissions such numbers for Supply Corps training as are within quotas prescribed by the Chief of Naval Personnel.

(f) Students attending an institution where specialized Naval Science Supply Corps courses are not offered, and desiring to qualify for commissions in the Supply Corps, USN, in accordance with the provisions of paragraph (c) of this section, may submit to the Chief of Naval Personnel, during the first half of their second year, a request for transfer to an NROTC unit where Supply Corps Naval Science courses are offered. This request for transfer, submitted in accordance with § 711.308, should indicate as the reason for transfer the desire of the student to take Naval Science Supply Corps courses. The Professor of Naval Science of the institution to which transfer is requested shall state in his forwarding endorsement (1) whether on the basis of the academic record to date the student will be acceptable for admission to the university and (2) whether the student will be accepted for enrollment in the Supply Corps courses desired. Such a transfer, if allowed, would be effected at the beginning of the third year.

§ 711.506 *Curriculum requirements and limitations.* (a) The regular NROTC Program is being maintained as a source of regular officer procurement which is supplemental to the United States Naval Academy. It is designed to produce Regular officers for the Line, Supply Corps and Civil Engineer Corps of the Navy and for the Marine Corps. Regular NROTC students should select, therefore, a major course of study which lends itself to helping the student become better prepared for his later duties as a Naval Officer. Recommended fields of study are Engineering, Mathematics, Natural or Social Science, English, Business Administration, and Foreign Languages.

(b) An NROTC Regular student appointed Midshipman, USNR, may select, subject to the approval of the academic authorities, any major field of study leading to a first baccalaureate degree except Pre-Dental, Pre-Medical, Pre-Theological, Pre-Veterinary, Dentistry, Medicine, Theology, Veterinary Medicine, Pharmacy, Music or Art. These exceptions will not apply to Regular NROTC students who are at this time enrolled in one of the above-named curricula.

(c) NROTC students will be required to complete a total of not less than 24 semester hours of Naval Science courses by the end of eight college semesters or equivalent quarters of enrollment in the NROTC. Normally they will complete one Naval Science course each semester or quarter.

(d) In certain fields—for example, Engineering—at certain institutions, first baccalaureate degrees regularly re-

quire five years of academic (or combined academic and industrial) work. In such cases, the NROTC student who is a candidate for such a degree will be entitled to receive retainer pay and the other benefits of the program for not more than four years as specified in § 711.311 (a).

§ 711.507 *Aptitude for the service.* (a) Each NROTC student will be observed closely by the Professor of Naval Science and the officers of his staff, for those qualities considered most desirable in a young naval officer. Students shall be evaluated particularly from the standpoint of attitude (as manifested by their interest, motivation and cooperation), performance of duty, leadership, bearing and dress.

(b) Aptitude marks will be given in accordance with §§ 711.509 and 711.602 (d) (6).

§ 711.508 *Practice cruises.* (a) To furnish NROTC students the opportunity to gain experience in the practical application of their studies in Naval Science, a practice cruise or training period is held each summer. For Regular students, these cruises and training periods are about 6 to 8 weeks in length. For Contract students, these cruises will not exceed 6 weeks in length.

(b) Each Regular NROTC student (§ 711.301 (a)) is required to make three such cruises or training periods. Normally a practice cruise is made between the freshman and sophomore years; an "Aviation Summer" training period, including both aviation and amphibious training, is held between the sophomore and junior years; a second cruise is made between the junior and senior years.

(c) Each Contract NROTC student (§ 711.301 (b)) is required to make only one cruise, normally between the junior and senior years.

(d) Regular students who are candidates for Supply Corps commissions shall complete prescribed practical training in regular supply duties afloat while on the summer cruise between the junior and senior years.

(e) Regular and Contract students who are candidates for Marine Corps commissions will train at a Marine Corps Station in the summer between the junior and senior years.

(f) It is expected that during each annual competition a number of Contract students will be selected for regular status. In order that such students, at the time of their appointment as Midshipmen, USNR, may have had all the advantages of the same training as their classmates, it is desirable that they attend one of the regular cruises during the summer intervening between their selection for regular status and their appointment. The Chief of Naval Personnel is authorized, therefore, to order such Contract students to participate in one of the Regular NROTC summer cruises during the summer immediately preceding their appointment. They will participate in such cruises, however, as Contract students.

(g) Regular students will receive all medical care commensurate with their status as midshipmen in the Naval Reserve. Contract students will receive medical care only for disease or injury contracted in line of duty while on training duty. No dental or surgical treatment other than that of an emergency nature will be performed.

(h) NROTC students who are members of a varsity, junior varsity or freshman crew competing in the annual Poughkeepsie Regatta may request postponement of a scheduled summer cruise in order to permit participation. Similar postponement may be requested by athletes who desire to compete in Olympic try-outs or who are selected as members of an Olympic team. Such postponed cruises will be scheduled later in the same summer, during a subsequent summer, or, if necessary, during the summer immediately following the completion of all academic and other naval science requirements for a commission.

§ 711.509 *Marking, student records, and class standing.* (a) Marks in Naval Science subjects and in Aptitude for the Service shall be assigned on the basis of the Navy 0 to 4.0 scale.

(b) In reporting to the institution the grades earned by the students in the Naval Science courses, the Department of Naval Science shall employ the same system of marking used by other academic departments.

(c) The Department of Naval Science shall maintain individual records of the progress made by all midshipmen and NROTC Contract students. For the purposes of uniformity in the keeping of naval records and in calculating class standing, all marks will be translated from the marking system used by the institution to the Navy 0 to 4.0 scale. In making this translation the Navy mark of 2.5 shall be considered to be the equivalent to the pass-fail standard in the institution's marking system, and the institution's passing grades will be assigned values between 2.5 and 4.0 consistent with the relative values of such grades as defined in the institution's system of marks. Similarly, failing grades will be assigned Navy scale values less than 2.5 consistent with the extent to which the institution's marking system provides marks indicating the degree of failure.

(d) When any NROTC student is transferred from one NROTC unit to another, the Professor of Naval Science shall forward a copy of the student's individual record to the Professor of Naval Science of the institution to which the transfer is made. In computing class standing for NROTC units, the Navy marks as determined by the Professor of Naval Science at the institution where the courses were taken shall be used, rather than a retranslation of the transcript grades.

(e) A mark in Aptitude for the Service shall be assigned to each NROTC midshipman at the end of each term and at the end of each summer cruise or training period. These Aptitude for the Service marks should be kept as clearly as possible ratings of "officer-like qualities" and should not be made a means of further penalizing or rewarding performance in academic or Naval Science courses (§ 711.507).

(f) At the end of each academic year, or at the end of each quarter or semester if the Professor of Naval Science so desires, the class standing of each NROTC midshipman shall be calculated. For the computation of class standing the mark in Aptitude for the Service given for the summer cruise or training period shall be given equal weight with the average mark in aptitude for the academic year. The class standing will be determined by a final multiple in which the average of Aptitude for the Service marks to date will be given a weight of one, the average of marks in Naval Science courses taken to date a weight of four, and the average of marks in academic courses other than Naval Science, taken to date, but while enrolled in the NROTC program, a weight of 4.

$S=A+4N+4G$, where

- S is the number used in determining class standing;
- A is the average of Aptitude for Service marks to date;
- N is the average per credit hour of Naval Science course marks to date, and
- G is the average per credit hour, to date, of all academic course marks other than Naval Science while enrolled in the NROTC program. Both passing and failing marks shall be included.

(g) For the purpose of preparing the graduation reports required in § 711.314 (b), the G average will be computed on the basis of courses taken while enrolled in the NROTC program, the N average on the basis of all Naval Science course marks, and the A average on the basis of all Aptitude for the Service marks available.

§ 711.510 *Status-of-training reports.* The Professor of Naval Science, as Head of the Department of Naval Science, shall furnish the President and other administrative officials of the institution with such reports of the Department and the students enrolled therein as may be required by the rules of the institution or as may be specifically requested.

§ 711.511 *Athletics.* NROTC members may participate in college athletics under the same terms and conditions that govern the participation of other students at the institution concerned.

§ 711.512 *Absence from instruction.* Absence of students from training or instruction in the Department of Naval Science shall be subject to the same rules which apply to absences from other academic classes at the institution concerned. An NROTC student who is absent for authorized reasons from any part of the practical or theoretical instruction shall be required, according to the practice obtaining at each institution, to make up the omitted training before being granted credits toward graduation.

§ 711.513 *Military organization.* (a) The NROTC unit, assuming normal strength of approximately 300, will be organized in general as follows:

1 battalion containing 3 companies.
Each company containing 3 platoons.
Each platoon containing 3 or 4 squads.
Each squad containing 8–10 men.

(b) NROTC student officers will be organized in general as follows:

Battalion staff:
Commander: Midshipman lieutenant commander.
Executive officer: Midshipman lieutenant.
Operations officer: Midshipman lieutenant (junior grade).
Communications officer: Midshipman ensign.
Supply officer: Midshipman ensign.
Chief Petty officer: Midshipman chief petty officer.
Color guard:
National color bearer: Midshipman chief petty officer.
Battalion color bearer: Midshipman chief petty officer.
Color escort: Midshipman petty officer, first class.
Color escort: Midshipman petty officer, first class.
Drum and bugle corps or band:
Commander: Midshipman lieutenant (junior grade).
Executive officer: Midshipman ensign.
Chief petty officer: Midshipman chief petty officer.
Mustering petty officer: Midshipman mustering petty officer.
Company staff (three companies):
Commander: Midshipman lieutenant.
Executive officer: Midshipman lieutenant (junior grade).
Chief petty officer: Midshipman chief petty officer.
Platoon organization:
Commander: Midshipman ensign.
Mustering petty officer: Midshipman mustering petty officer.
Guide: Midshipman petty officer, first class.
Squad leader (each squad): Midshipman petty officer, second class.

(c) At each institution where ROTC units of the Army or Air Force are established, the Professor of Naval Science is authorized to appoint the NROTC student commander to the rank corresponding to that of the Army or Air Force ROTC student commander, where such procedure is considered appropriate.

(d) Although the military organization outlined in this section makes provision for a drum and bugle corps or band, such items as musical instruments, music, and musical supplies for such activities will not be provided at Navy expense.

MARINE CORPS

§ 711.601 *Enrollment in Marine Corps Naval Science courses*—(a) *Qualifications for enrollment.* A Regular or Contract student in good standing may be enrolled in the Marine Corps Naval Science courses on a voluntary basis, provided his enrollment therein is recommended by the Marine Corps Officer instructor and approved by the Professor of Naval Science.

(b) *Method of enrollment.* Students who desire to enroll in the Marine Corps Naval Science courses and to be considered candidates for a commission in the Marine Corps or Marine Corps Reserve will be given the opportunity to submit a written application to the Professor of Naval Science, via the Marine Corps Officer Instructor, during their second year in the Naval ROTC program. If the application is approved, the student shall complete during the first two years of Naval ROTC training the Naval Science courses regularly prescribed for those years, and the specialized Marine Corps Naval Science courses during the last two years of Naval ROTC training. The Professor of Naval Science shall forward one copy of the application to the Bureau of Naval Personnel and one copy to the Commandant of the Marine Corps (Code DI).

(c) *Status of candidates.* Candidates for Marine Corps commissions will retain their status as NROTC Midshipmen and will wear the uniform and insignia specified for all NROTC members. Unless otherwise directed, they will be administered in the same manner as all other students.

(d) *Quota.* Sixteen and two-thirds percent of the graduates of NROTC may be commissioned in the Marine Corps or the Marine Corps Reserve on a voluntary basis. Professors of Naval Science are authorized to enroll in Marine Corps Naval Science courses up to 16⅔ percent of the potential number of graduates of any class. In the event the number of applicants from a class exceeds 16⅔ percent of the potential graduates of that class, the Professor of Naval Science shall notify the Bureau of Naval Personnel. Permission will be given by the Bureau to individual units to enroll in Marine Corps Naval Science courses more than 16⅔ percent of the potential graduates of a given class, provided the total number of Marine Corps candidates in that class from the entire program does not exceed 16⅔ percent.

§ 711.602 *Training*—(a) *Marine Corps Naval Science courses.* Candidates for Marine Corps commissions are required to complete successfully prior to graduation, Naval Science courses as outlined in § 711.601 (b). Candidates who have not completed the prescribed Marine Corps courses may be appointed to commissioned rank in accordance with § 711.603 (a) (3).

(b) *Laboratory periods.* Except for the laboratory periods devoted to battalion drills, or occasions deemed by the Professor of Naval Science to be of interest to all students of the unit, the students pursuing the Marine Corps courses will be given separate instruction peculiar to the Marine Corps during the weekly drill periods.

(c) *Summer camp.*—(1) *Regular students.* In lieu of attending the third practice cruise, between the junior and senior years, with the Navy, Regular students who are candidates for Marine Corps commissions will undergo a period of training at a Marine Corps station. Unless otherwise directed by the Commandant of the Marine Corps, the summer training for Regular students will be at the Marine Corps Schools, Quantico, Va., of 8 weeks' duration, and will commence in June of each year.

(2) *Contract students.* Contract students who are candidates for Marine Corps commissions will undergo between the junior and senior years a period of summer training. Unless otherwise directed by the Commandant of the Marine Corps this summer training period at the Marine Corps Schools, Quantico Va. will be of 3 weeks' duration.

(d) *Administrative procedure for summer training.* (1) Marine Corps candidates are entitled to the same pay, quarters, subsistence, and transportation authorized for all other members of the program.

(2) The pay, traveling expenses, cost of subsistence and all other expenses of midshipmen and Contract students while in training at a Marine Corps station, and while traveling to and from such duty, is chargeable to the appropriation "Military Personnel, Officer Candidates."

(3) *Medical treatment.* (i) Both midshipmen and Contract students, upon reporting for active duty, will receive a physical examination of sufficient extent for the Medical Examiners to determine that the individual is physically qualified to perform the duties assigned. To insure that their medical records are complete it will be necessary to make the following certification upon page H–8 in the Health Record of each individual:

Examined and found physically qualified for active training duty. Following defects noted _____
Signed _____

(ii) Just prior to completion of active training, a medical examination as necessary will be conducted, to determine whether their health has been adversely affected by such duty, and the below certification will be made following the one set forth above:

Examined and found physically qualified for release from active training duty. Following defects noted _____
Signed _____

(iii) If the certification set forth above cannot be made, due to the physical condition of the examinee, Headquarters, U. S. Marine Corps will be immediately notified, and a full written report of the examinee's physical condition will be forwarded to the Chief, Bureau of Medicine and Surgery, via Headquarters, U. S. Marine Corps.

(iv) Midshipmen and Contract students who have not been inoculated during the current year will receive all immunization required for men on active duty for training.

(v) Regular students will receive all medical care commensurate with their status as midshipmen in the Naval Reserve.

(vi) Contract students will receive medical care only for disease or injury contracted in line of duty while on training duty. No dental or surgical treatment other than that of an emergency nature will be performed.

(4) *Discipline.* (i) Midshipmen are subject to all laws and regulations of the U. S. Naval Service.

(ii) Contract students, although not strictly members of the U. S. Naval Serv-

ice, are expected, while on training duty, to abide by all laws and regulations of the Naval Service and of the Commanding General of the Marine Corps Station.

(iii) Breaches of discipline warranting disciplinary action will be reported to Headquarters, U. S. Marine Corps with full details, for decision as to discipline.

(5) *Clothing and equipment.* (i) The following articles of individual clothing will be issued by the Marine Corps for the duration of the summer training. Upon completion of summer training all articles of individual clothing listed below will be reclaimed, with the exception of shoes and socks:

1 Bag, canvas, clothing.
2 Belts, web, trousers, w/o buckle.
1 Buckle, metal, trouser, belt.
1 Cap, utility.
2 Coats, utility.
3 Shirts, cotton, khaki.
1 Shoes, field, pair.
6 Socks, woolen, cushion sole, O. D., pair.
3 Trousers, service, khaki, pair.
2 Trousers, utility, pair.

(ii) The following articles of individual equipment will be issued by the Marine Corps for use while on training duty:

1 Bayonet, M1.
1 Blanket, wool, green, USMC.
1 Scabbard, bayonet, M1.
1 Rifle, cal. .30, M1.
1 Belt, cartridge, cal. .30, M1923.
1 Helmet, steel, M1.
1 Liner, helmet, M1, new type.
1 Canteen, stainless steel, M1910.
1 Cover, canteen, dismounted, M1910.
1 Cup, canteen, stainless steel.
1 Packet, first aid.
1 Pouch, first aid.
1 Can, meat, stainless steel.
1 Fork, haversack.
1 Knife, haversack.
1 Spoon, haversack.
1 Jacket, field, M1943.
1 Leggins, canvas, green, pair.
1 Poncho, camouflaged.
1 Haversack, MCP, M1941.
1 Knapsack, MCP, M1941.
1 Suspenders, belt, MCP, M1941, pair.
1 Pillowcase.
2 Sheets, bed.
1 Cover, mattress, cotton.

(iii) Desirable articles of clothing, including, but not limited to the following, will be obtained by both Regular and Contract students prior to the summer training period and brought to the Marine Corps Training station:

1 Belt.
1 Cap, garrison, khaki.
3 Trousers, khaki, pair.
8 Handkerchiefs.
4 Socks, black, pair.
1 Shoes, black, pair.
3 Shirts, khaki.
1 Tie, black.
6 Undershirts, white.
6 Underdrawers, white.
1 Raincoat-overcoat.
1 Toilet articles, set.
4 Towels, bath.
1 Padlock.
1 Suitcase.
Appropriate uniform devices.

(iv) The Commandant of the Marine Corps is authorized to change the above clothing and equipment allowances as the conditions of summer training warrant.

(6) *Reports; Aptitude.* (i) A mark in "Aptitude for the Service" will be assigned each midshipman and Contract student at the end of the summer training period. This mark will become a part of the permanent record of the student and will be used by the Professor of Naval Science in determining the final standing upon the completion of the 4 years of NROTC training. The mark will take into account the factors listed in § 711.507.

(ii) Aptitude cards, after being completed, will be forwarded by the reporting officer at summer camp directly to the Professor of Naval Science of the midshipman or Contract student concerned. A copy of the aptitude card will be forwarded to the Officer Procurement Branch, Headquarters, U. S. Marine Corps.

§ 711.603 *Appointment to commissioned rank in the Marine Corps*—(a) *Who may be commissioned.* (1) The Marine Corps may commission in the Regular Marine Corps qualified Regular NROTC graduates who make application for such appointment and are recommended by the Professor of Naval Science.

(2) The Marine Corps may commission in the U. S. Marine Corps Reserve qualified Contract NROTC graduates who make application for such appointment and are recommended by the Professor of Naval Science. Contract graduates who so desire may be commissioned in the regular Marine Corps provided they are recommended by the Professor of Naval Science and provided vacancies exist for newly commissioned officers in the Regular Marine Corps at the time of graduation; otherwise, they may be commissioned in the Marine Corps Reserve.

(3) The Marine Corps may commission qualified Regular and Contract graduates in accordance with the policy outlined in subparagraphs (1) and (2) of this paragraph, respectively, who have not taken the Marine Corps courses provided such candidates are eligible for appointment in the U. S. Navy or U. S. Naval Reserve and are within the assigned quota of 16⅔ percent.

(4) Whenever the number of applications for appointment to commissioned rank in the Regular Marine Corps received from NROTC students exceeds the number of vacancies existing for newly commissioned officers from that source, at that time, preference will be given to applicants who have completed successfully the Marine Corps Naval Science courses, including summer training at a Marine Corps station.

(5) No graduate shall be commissioned in the Marine Corps or the Marine Corps Reserve except at his own request.

(b) *General requirements*—(1) *Age.* Be more than 20 and not more than 25 years of age on 1 July of the calendar year in which appointed.

(2) *Physical qualifications.* (§ 711.306 (e).) All candidates must be physically qualified for the appointment to commissioned rank in the U. S. Marine Corps or the Marine Corps Reserve, as appropriate, in accordance with the physical standards set forth in the Manual of the Medical Department, U. S. Navy.

(3) *Agreement for service.* Regular and Contract students are required to sign the same contract for service as required for candidates for commission in the U. S. Navy or the Naval Reserve.

(4) Completion of required Naval Science courses and receipt of a baccalaureate degree.

(c) *Commissioning procedure*—(1) *Aplication.* Candidates for commissions in the Marine Corps or the Marine Corps Reserve will make application for such commission to the Commandant of the Marine Corps via the Professor of Naval Science. No candidate will be commissioned unless he is recommended by the Professor of Naval Science and is qualified in all other respects. Application forms for commission will be furnished by Headquarters, Marine Corps (Code DIA). The following documents are required to complete all applications for commissions:

(i) Application Form (do not delete the agreement for service).

(ii) Birth certificate under seal of office of issue. Certificate should be furnished even though one was forwarded to the Bureau of Naval Personnel at some prior time. In many cases, documents previously submitted are no longer available. Additional notarized certificates or documents should also be included whenever any discrepancy exists between the name shown on the birth certificate and that actually used by the candidate at the time of application. Notarized affidavits of parents or close relatives will usually be accepted when name discrepancies exist.

(iii) Report of Medical Examination (Standard Form 88), in duplicate. If it is impracticable to conduct roentgenographic or serologic tests as part of this examination, a statement to that effect shall be made on Standard Form 88 and on NavMed H–8 (Medical History Sheet), with a request that these examinations be conducted at the first active duty station.

(iv) Report of Medical History (Standard Form 89).

(v) Personal certificate of applicant (signed and attached to Standard Form 88) as follows:

I certify that I have informed the Board of Medical Examiners of all the bodily ailments which I have suffered and, to the best of my knowledge and belief, I am free from any bodily or mental ailments (except those as follows: ----------).

(vi) Certificate of Board of Medical Examiners (signed by members and attached to Standard Form 88) as follows:

We certify that ----------
(is) (is not) physically qualified for appointment to commissioned rank as second lieutenant in the U. S. Marine Corps (or Marine Corps Reserve).

(vii) Two recent passport-size photographs; one front view and one profile view.

(viii) Certified transcript of college credits, earned to date, with official seal of school and signature of registrar.

(ix) Loyalty Certificate for Personnel of the Armed Forces (Form DD–98).

(x) Loyalty Questionnaire (furnished by Headquarters, Marine Corps, Code DIA).

(xi) Form DD-369 (finger-print form). No action is required on that side of the form which contains "Police Record Check."

(2) Applications for commissions must be submitted in time to reach Headquarters, Marine Corps, at least 90 days, but not more than 120 days, prior to graduation.

(3) *Medical examination.* The medical examination will be conducted in accordance with § 711.306 (e).

§ 711.604 *Clothing*—(a) *Issuance of Navy clothing.* Marine Corps candidates for commission will be issued articles of clothing normally issued to all other NROTC students for duty at the NROTC Unit.

(b) *Issuance of Marine Corps clothing.* (1) Prior to graduation and acceptance of appointments in the Marine Corps or Marine Corps Reserve, Marine Corps candidates will be issued gratuitously, from stock, the below listed items of uniform, as appropriate to the season when commissioned, regardless of any uniform gratuity received:

1 Cap, garrison, summer.
1 Jacket, service, khaki.
1 Ornaments, collar, bronze, pair.
1 Ornament, collar, bronze, left.
2 Neckties, service.
2 Shirts, cotton, khaki.
1 Shoes, MC last, low quarter, pair.
2 Socks, woolen, light-weight, dark brown, pair.
2 Trousers, service, khaki.
or
1 Cap, garrison, winter.
1 Jacket, service, wool, green.
1 Ornaments, collar, bronze, pair.
1 Ornament, collar, bronze, left.
2 Scarfs, field cotton, khaki, washable.
2 Shirts, cotton, khaki.
1 Shoes, MC last, low quarter, pair.
2 Socks, woolen, light-weight, dark brown, pair.
1 Trousers, service, wool, green, pair.

(2) Marine Officer Instructors will submit, at least 30 days in advance of the time the clothing is required, requisitions for required clothing, via the Professor of Naval Science, to:

The Depot Quartermaster, Depot of Supplies,
1100 South Broad Street,
Philadelphia, Pennsylvania.
or
The Depot Quartermaster, Depot of Supplies,
100 Harrison Street,
San Francisco, California.

(3) Requisitions should show the names of the individual to whom the clothing is to be issued and specify sizes required. In the event any individual cannot be fitted from stock sizes listed in the Catalog of Marine Corps Material, General Supply Division, a special clothing requisition form NMC-912-QM will be prepared covering the articles which cannot be supplied from stock. All requisitions submitted pursuant hereto will make reference to this Article. Upon receipt of the clothing from the Depot Quartermaster, it will be issued to the individuals concerned in order to permit sufficient time prior to graduation for any required alterations.

§ 711.605 *Marine Corps personnel assignments.* (a) As determined by the Commandant of the Marine Corps and the Chief of Naval Personnel, and insofar as practicable, the following Marine Corps personnel will be assigned to the NROTC program:

Professors of Naval Science—Colonels—eight.
Executive Officers—Lieutenant Colonels—eight.
Marine Corps Officer Instructors—Majors or below—one per unit.
Staff noncommissioned officers—one per unit.

(b) Liaison will be performed between Headquarters, Marine Corps, and the NROTC units by an officer of the Marine Corps.

PAY AND ALLOWANCES

§ 711.701 *Retainer pay*—(a) *Rate of pay.* (1) Each Regular NROTC student will receive retainer pay at the rate of $600 per year, except while on active duty, for a maximum of four academic years while under instruction and during summer vacation periods. The academic year for pay purposes includes the entire time ordinarily from September to September when the student is passing through the various college grades, freshman, sophomore, junior, and senior.

(2) Students entering the program with advanced standing in Naval Science, who will complete their Naval Science courses prior to completion of their other academic work, and who will be in a regular status for 4 years or less, may continue to receive the benefits and compensation of the program, provided they attend such Naval Science periods as the Professor of Naval Science may direct, plus all Naval Science drills, during the period in which they are not attending Naval Science classes. Otherwise they will be placed in a leave status.

(3) Students who are absent due to illness or injury may be paid retainer pay covering such absence not to exceed 30 days during each continuous period of hospitalization. Payment of retainer pay will be resumed upon their return and resumption of studies. In certain cases, as specified in §§ 711.311 and 711.506 (d), it may become necessary to allow a student one or more additional semesters to enable him to qualify for a first baccalaureate degree. However, as specified by law, the maximum period for the payment of such retainer pay and the educational benefits specified in § 711.707, is four years. Students granted leave of absence for illness, who are required to complete their academic work at their own expense for tuition and fees since they had been in attendance a sufficient time for the college to require full payment for such expenses, are entitled to receive retainer pay during periods while actually undergoing instruction provided that the total amount so expended does not exceed the amounts to which other members of the class in which they originally enrolled were entitled.

(4) Students with former naval or military service are not entitled to longevity increases in either retainer pay or their pay as midshipmen while on active duty on cruises.

(b) *Pay record*—(1) *Custody.* Except as hereinafter prescribed, the retainer Navy Pay Record (S. and A. Form 500) of a Naval Reserve Officers Training Corps Regular student will be in the custody of and maintained by the Navy Accounts Disbursing Officer or District Disbursing Officer of the Naval District in which the student is attending college.

(2) *Opening and closing.* A Navy pay record will be opened for each Regular student on the date of commencement of retainer pay as explained in subparagraph (3) of this paragraph. Retainer pay records will be regularly closed on June 30 and a new pay record opened as of July 1 of each year. Retainer pay records will also be opened and closed at the time specified in the Bureau of Supplies and Accounts Manual.

(3) *Commencement of retainer pay.* Entitlement to retainer pay shall commence on the effective date of appointment as Midshipman, USNR, or on the date the midshipman commences classes at the institution at which enrolled, whichever is later.

(4) *Termination of retainer pay.* Entitlement to retainer pay will terminate on the date indicated in the termination of appointment as midshipman approved by the Secretary of the Navy.

(c) *Substantiating vouchers.* (1) A properly executed Acceptance and Oath of Office (NavPers Form 339), certificate concerning disability and pension specified in Article H-7306, Bureau of Naval Personnel Manual, and a statement from the Professor of Naval Science indicating the date on which classes were commenced at the institution at which enrolled will be submitted as pay record vouchers to substantiate commencement of retainer pay as midshipman of the Naval Reserve.

(2) *Suspension of retainer pay.* Pending receipt of approved termination of appointment, a Student Disenrollment Report (NavPers Form 364) will be used as a basis for suspending retainer pay of a midshipman of the Naval Reserve who has been recommended for disenrollment for any reason. Upon receipt of termination of appointment approved by the Secretary of the Navy, retainer pay will be terminated as of the date stated therein and a copy of the termination will be filed as a pay record voucher.

(d) *Procedure for payment.* Naval Reserve Officers Training Corps Regular students will be paid retainer pay to which entitled by check drawn as of the last day of each month. Checks will be forwarded to the Professor of Naval Science for delivery to the student.

§ 711.702 *Active duty pay*—(a) *Regular students*—(1) *Rate of pay.* Regular Naval Reserve Officers Training Corps students while on active duty are entitled to the same rate of pay as prescribed for midshipmen at the Naval Academy. Active duty pay will include the time required for travel from the NROTC unit to the port of embarkation, or to the summer training station, and return, when under orders for training

duty. Additional pay for sea and foreign service duty is not authorized.

(2) *Pay record maintenance.* Navy Pay Records (S. and A. Form 500) will be maintained for Regular Naval Reserve Officers Training Corps students during the summer cruises or training period in accordance with existing instructions in the Bureau of Supplies and Accounts Manual.

(b) *Contract students*—(1) *Rate of pay; Contract students on contract cruise.* Naval Reserve Officers Training Corps Contract students who are members of the advanced course, senior division, i. e., juniors and seniors, or other persons authorized by the Secretary of the Navy, will be paid at the rate prescribed for enlisted members of pay grade E–1 (under 4 months' service) while embarked in a naval vessel for a practice cruise or during a summer training period. They are not entitled to additions to pay or allowances, including sea and foreign service duty pay, authorized for enlisted men of the Navy. The day of reporting and the day of detachment from the ship or station are both included in the period for which students are paid.

(2) *Rate of pay; Contract students on regular cruise.* Contract students ordered by the Chief of Naval Personnel to participate in one of the regular NROTC summer cruises under the provisions of § 711.508 (f) will be paid at the rate established for other Contract students as described in this section.

(3) *Opening and closing pay record.* Navy pay records will be opened by the disbursing officer of the cruise ship or shore station in accordance with existing instructions in the Bureau of Supplies and Accounts Manual.

(c) *Payments.* Payments will be made to Regular and Contract students on a summer cruise (or training period) as directed by the commanding officer of the cruise ship or station. On completion of the summer cruise, Naval Reserve Officers Training Corps Contract students will be paid in full to include date of detachment. Checks will be drawn for those students not present for final payment and such checks delivered to the Professor of Naval Science for further delivery to the students concerned.

§ 711.703 *Subsistence allowances; Contract students*—(a) *Commencement of entitlement.* While under instruction in the third and fourth year Naval Science courses as listed in the current Standard Curriculum for Naval Reserve Officers Training Corps (credit for the first and second years having been successfully established), Contract NROTC students are entitled to commutation of subsistence (currently at a rate of $0.90 per day), except that commutation of subsistence will not be allowed for periods when subsistence in kind is furnished or when the student is paid a travel allowance in lieu of transportation and subsistence. Commutation of subsistence will be paid from and including the date a student begins his final 2 years of Naval Reserve Officers Training Corps training or portion thereof, if the student is reenrolled or enrolled after completing more than two academic years of college work, commencing on the first day of the academic term. Commutation of subsistence will not be allowed for any period in excess of two academic years plus one intervening summer vacation.

(b) *Continuation of entitlement.* In addition to the specific requirements for entitlement to payments on account of commutation of subsistence as listed in other paragraphs of this section, the following special provisions involving eligibility for such payments shall also apply:

(1) *Students concurrently receiving educational benefits under Servicemen's Readjustment Act of 1944.* The eligibility of Contract students to receive commutation of subsistence will not be affected by their receiving, concurrently, educational benefits under the Servicemen's Readjustment Act of 1944.

(2) *Students concurrently enlisted in reserve units.* A Contract student who is also a member of an Organized or Volunteer Reserve Unit, is entitled to receive payments on account of subsistence and transportation as an NROTC student concurrently with pay provided for drills performed by a reservist while in an inactive duty status. He may not receive subsistence as a Contract student concurrently with the active or training duty pay of a reservist.

(3) *Status upon completion of Naval Science requirements.* Contract students who, prior to completing the requirements for their college degree, complete all Naval Science requirements may, at their own request, be placed in a leave of absence status, without pay, or may continue to draw commutation of subsistence. In the latter case they must attend Naval Science drills and shall be given more advanced drill assignments in order to avoid repetition of the prescribed drill curriculum. No student will be eligible, under any conditions, to receive commutation of subsistence for a total period in excess of that authorized by paragraph (a) of this section.

(c) *Termination of entitlement*—(1) *Students exempted from cruise.* In the case of students exempted by the Bureau of Naval Personnel from taking the cruise during the summer immediately following completion of the third year, no payments shall be made during the interval between the date of completion of the third-year's scholastic work and the date of commencement of the fourth-year's work.

(2) *Students not exempted from cruise.* In the case of students not exempted by the Bureau of Naval Personnel who fail to take the cruise during the summer immediately following completion of the third year, no payments shall be made after the date of completion of the third year's academic work. Payment may be resumed at the beginning of the next academic year if, on recommendation by the Professor of Naval Science, the Bureau of Naval Personnel accepts a delayed request to defer the cruise until the end of the senior year.

(3) *Absence due to illness.* Students who are absent due to illness or injury may be paid commutation covering such absence for a period not to exceed 30 days during each continuous period of hospitalization. Payment for such absence will not be made until the student's return and resumption of instruction.

(4) *Other absence.* In the case of students who are absent from instruction in Naval Science for causes other than set forth in subparagraph (3) of this paragraph, payment of commutation will be made for seven days commencing with and including the first day of absence, after which no commutation will be paid. If such absence is caused by separation from college, payment of commutation will cease from the first day of absence.

(5) *Disenrolled students.* When a student is disenrolled from the Naval Reserve Officers Training Corps for any reason, payment of commutation will cease as of the date of disenrollment.

(d) *Commutation of Subsistence Certificates*—(1) *Normal submission.* Commutation of Subsistence Certificates (NavPers Form 384) will be prepared and certified by the Professor of Naval Science on the last day of each month of the academic year and forwarded in quintuplicate to the Navy Accounts Disbursing Office or District Disbursing Office of the Naval District in which the college or university is located. For the last month of the academic year, certificates will be prepared to cover the period actually in attendance and under the supervision of the Professor of Naval Science concerned.

(2) *Submission for students on cruise.* (a) For students taking the cruise, certificates shall be prepared in skeletonized form (including the names of the students and the date of commencement of entitlement to subsistence allowance) for the signature of the Commander Midshipmen Cruise Detachment by each Professor of Naval Science concerned and forwarded to the Commander Midshipmen Cruise Detachment. The Commander Midshipmen Cruise Detachment will delete the names of those midshipmen (if any) who do not embark on the cruise, make necessary entries to terminate entitlement to subsistence allowance, enter the total amount to be paid on each NavPers 384, submit the form to the Navy Accounts Disbursing Office or District Disbursing Office (as designated by the cognizant Professor of Naval Science) of the Naval District in which the college or university is located as soon as possible after embarkation on the cruise. The Disbursing Officer making payment of the subsistence allowance will furnish such payment information as may be required by the cognizant Professor of Naval Science.

(b) The student will be entitled to commutation of subsistence to include the day of embarkation, if he embarks after breakfast, and for the day of disembarkation, if he disembarks before breakfast, provided that the student is not in a travel status on such days. The time spent in a travel status should not be included in the commutation certificates. No further payments of commutation will then be made until the students have entered on the fourth year of their Naval Reserve Officers Training Corps

course when certificates will be prepared to cover the portion of the summer vacation subsequent to the cruise, or at the election of the Professor of Naval Science concerned, that portion of the vacation period may be included in the certificate for the first month of the new academic year.

(e) *Payment of commutation of subsistence.* Payment of commutation of subsistence will be made by the Navy Accounts Disbursing Officer or the District Disbursing Officer of the Naval District in which the college or university is located. Checks will be made payable to the order of the individual students and forwarded to the Professors of Naval Science for delivery. Payment will be reported on Subsistence Roll (NavPers Form 384). The first subsistence roll will be supported by Contract for Contract Student (NavPers Form 918) and each subsistence roll submitted thereafter will bear reference to the roll with which the contracts were filed.

§ 711.704 *Subsistence in kind.* All members of the NROTC shall be furnished subsistence in kind while embarked in a naval vessel for a practice cruise or while undergoing summer training ashore unless competent authority should prescribe that they be subsisted in a mess other than a general mess. When members of NROTC are subsisted in a mess other than a general mess the prescribed values of the ration will be commuted to the mess in which subsisted in accordance with existing instructions contained in the Bureau of Supplies and Accounts Manual.

§ 711.705 *Allotments.* Provided a National Service Life Insurance policy is already in effect, Naval Reserve Officers Training Corps Regular students, while under instruction in the college training program, may register allotments for the payment of premiums on National Service Life Insurance. No other allotments are authorized.

§ 711.706 *Travel and transportation allowances.* The travel and transportation allowances of NROTC Regular and Contract students will be those prescribed for Midshipmen, U. S. Naval Academy, as provided in Chapter 5, part (A), Joint Travel Regulations and/or Navy Travel Instructions, as applicable. Detailed travel instructions for summer training cruises, both afloat and ashore, will be issued each year by the Bureau of Naval Personnel.

§ 711.707 *Educational expenses*—(a) *Expenses payable by the Government.* The Secretary of the Navy is authorized by law to provide, by contract or otherwise, for the payment of tuition, required fees, books, and laboratory expenses of Regular NROTC students for a maximum period of 4 academic years while under instruction at the NROTC institution or during summer training periods. Equipment paid for by the Government will include such items as drawing instruments and slide rules when required by the college for a course taken by the student. The manner of contracting will be the subject of a detailed directive from the Chief of Naval Personnel.

(b) *Expenses payable by the student.* Expendable supplies such as pencils, pens, and paper will not be provided by the Government. Similarly, refundable fees such as breakage or required deposits for use of apparatus shall be payable by the student. Payment of delinquent fees assessed by the institution for failure to comply with institutional requirements will not be paid by the Government but shall be payable by the student. Payment for board, lodging, and other living expenses, including travel not under orders, is made by the student, unless otherwise contracted.

§ 711.708 *Federal income tax.* (a) Retainer pay and active duty pay actually received during a calendar year constitute taxable income to the recipients.

(b) Amounts paid by the Navy Department under section 10 of Public Law 729, 79th Congress, as amended, for tuition, fees, books and laboratory expenses and amounts paid under section 4 for travel and other allowances do not constitute taxable income to the individuals appointed to the training program pursuant to the act.

UNIFORMS AND INSIGNIA

§ 711.801 *Financing.* NROTC clothing is financed from Bureau of Naval Personnel annual appropriation, "Military Personnel, Officer Candidates." The Clothing Supply Office, Brooklyn, New York, is granted quarterly allotments from this appropriation to cover the purchase of NROTC clothing. The Clothing Supply Office is responsible for administering these allotments.

§ 711.802 *Authorized uniforms.* The Uniform Regulations for NROTC students are contained in U. S. Navy Uniform Regulations, 1951. The following extracts are published for ready reference:

SERVICE DRESS UNIFORMS

Uniform	Coat	Trousers	Cap cover	Shirt	Collar	Necktie	Shoes	Socks	Gloves	Ribbons
Service dress:										
Blue, A	Blue	Blue [1]	Blue	White	Turndown.	Black	Black	Black	Gray	Yes.
Blue, B	do	do [1]	White	do	do	do	do	do	do	Yes.
Khaki	Khaki [2]	Khaki [1]	Khaki	do	do	do	Brown	Brown or khaki.		Yes.

[1] Khaki web belt will be worn with khaki trousers; black belt with blue trousers.
[2] The coat may be removed indoors. It may be omitted when authorized by the senior officer present.

DINNER DRESS UNIFORMS

Uniform	Coat	Trousers	Cap cover	Shirt	Collar	Necktie	Shoes	Socks	Gloves	Ribbons
Dinner dress:										
Blue, A	Blue	Blue [1]	Blue	White	Turndown.	Black bow.	Black	Black	Gray	Yes.
Blue, B	do	do [1]	White	do	do	do	do	do	do	Yes.

[1] Black belt will be worn.

WORKING UNIFORMS

Uniform	Coat	Trousers	Cap cover	Shirt	Necktie	Shoes	Socks	Gloves
Working:								
Blue, A [1]		Blue [2]	Blue	Blue	Black	Black	Black	Gray [3]
Blue, B [1]		do	White	do	do	do	do	Do [3]
White, A	White jumper.	White working.	do		Black neckerchief.	do	do	
White, B	do	do	White hat.		do	do	do	
Khaki		Khaki cotton. [2]	Khaki cotton.	Khaki	Black	Brown	Brown or khaki.	
Dungaree [4]		Dungaree [2]	White hat.	Chambray		Black	Black	

[1] Leggings may be prescribed.
[2] Khaki web belt will be worn with khaki uniform; black belt with blue and dungaree uniforms.
[3] If prescribed.
[4] Optional for wear when the nature of their work will unduly stain their normal uniforms; may be prescribed by the commanding officer.

§ 711.803 *Uniform outfit.* (a) An outfit of essential uniforms shall be furnished to each NROTC midshipman after his enrollment. This outfit will, in general, include the following items:

Item	*Quantity*
Belts:	
Black	1
Khaki web	1
Cap, combination, with insignia	1
Cap Covers:	
Blue	1
Khaki, cotton	1
Khaki, worsted	1
Rain, black	1
White	2
Coat, blue, with insignia	1
Coat, khaki, worsted, with gilt buttons	1
Corps device or rank device, metal pin-on (sets)	2
Gloves, gray (pair)	1
Hat, white, midshipman type	3
Jersey, blue	1
Jumpers, white, midshipman type	4
Neckerchief	1
Neckties, black:	
Four-in-hand	1
Bow	1
Raincoat, blue, with liner	1
Shirts:	
Blue chambray	2
Blue flannel	1
Khaki	3

Item	Quantity
Trousers:	
Blue (pair)	1
Dungaree (pair)	2
Khaki, cotton (pair)	1
Khaki, worsted (pair)	1
White, (midshipman style) (pair)	4

NOTE: NROTC Midshipmen will furnish at their own expense necessary socks, white shirts, shoes, and underwear, as these items are normal items for civilian wear. (Attention is invited to the fact that both black and brown shoes and socks are required.)

(b) Gray gloves and black four-in-hand ties may be replaced as they become unfit for use because of wear.

(c) The above clothing list shall not be construed as prohibiting students from obtaining additional articles of regulation clothing at their own expense.

(d) Leggings are organizational items of clothing and will be maintained and stored at NROTC schools. Leggings will be issued on a custodial basis to meet requirements. Units will requisition organizational khaki leggings to meet requirements for replenishment in accordance with § 711.804. Only kahki leggings will be requisitioned. The cost of the leggings should be charged to expenditure account 72420 under the appropriation "Military Personnel, Officer Candidates" for the current fiscal year. Funds for this purpose are included in the fund allotment granted the Commandants of the Naval Districts under the budget program "Academic Instruction."

(e) Seabags will be maintained and stored at NROTC units for issue when required. Replenishment will be requisitioned as prescribed in § 711.804.

§ 711.804 *Requisitioning clothing.* (a) Requisitions for clothing will be submitted by NROTC units in the First, Third, Fourth, Fifth and Sixth Naval Districts to the Naval Supply Facility, Naval Supply Activities, N. Y., Brooklyn, New York, and by NROTC units in the Eighth, Ninth, Eleventh, Twelfth and Thirteenth Naval Districts to the Naval Supply Depot, Great Lakes, Illinois. The requisitions will be submitted at least two weeks before the beginning of the school year, but they may be submitted any time after 1 July, if the Professor of Naval Science has received size information from his prospective students.

(b) The following instructions will govern the requisitioning of clothing:

(1) Use Requisition and Invoice (S and A Form 43) (original and two copies).

(2) Number clothing requisitions consecutively.

(3) Date all requisitions.

(4) Each sheet of S and A Form 43 should constitute a separate requisition rather than being headed "page 2" or given a suffix "A".

(5) Only one type of item, and not more than eight items or eight sizes of an item will appear on S and A Form 43, with a double space between each size.

(6) Stock numbers as listed in the Catalog of Navy Material, Class 55, Group 2, (Leggings in Class 37) will be used for all NROTC items requisitioned.

(7) Number each item or size of an item or rank of insignia separately.

(8) Requisition cap frames, white covers, blue covers, khaki covers, chin straps, buttons and cap devices as separate type items.

(9) Uniforms, blue and khaki worsted, officer style, will be ordered both by the number size and the length description (Examples: 36 short or 40 long).

(10) Trousers for both the khaki worsted and blue uniforms are an integral part of such uniforms and shall not be ordered separately.

(11) Requisition shirts, khaki and white, by sleeve length and neckband size.

(12) Requisition shirts, blue, flannel, and shirts, chambray, by neckband size only.

(13) Requisition trousers, cotton, khaki and trousers, white midshipman style, by waist size and leg inseam length.

(14) Requisition trousers, dungaree, by waist size only.

(15) Requisition jumpers, white, midshipman type, by chest size.

§ 711.805 *Alterations to NROTC uniforms.* In the fitting of uniforms for NROTC students, certain minor alterations such as adjustments in sleeve lengths, trouser lengths, or waist size may be necessary. Such alterations are to be charged to expenditure account 72420 under the appropriation "Military Personnel, Officer Candidates" for the current fiscal year. Allotments of funds for this purpose are granted to Commandants of the Naval Districts.

§ 711.806 *Wearing the uniform.* The uniform will be worn on such occasions as prescribed by the Professor of Naval Science or the senior officer present. Normally, this will be at drills, ceremonies, and on cruises.

§ 711.807 *Replacement of uniform clothing.* (a) Each NROTC student is expected to replace, at his own expense, Navy-issued uniform clothing items that are lost, mutilated, or destroyed through his own misconduct or carelessness.

(b) In exceptional cases, it may be necessary to furnish students with replacements for articles of clothing which they have outgrown. In such cases, the Professor of Naval Science is authorized to requisition the required articles from the supplying activity after critical review to prevent indiscriminate and invalid replacements. The requisition will be forwarded to the Bureau of Naval Personnel for approval prior to submission to the supplying activity. Such requisition will be accompanied by detailed explanation of the necessity for replacement. The supplying activity will provide replacements from stocks of clothing which have been returned from NROTC units in accordance with § 711.812.

§ 711.808 *Purchases from clothing and small stores retail store.* The sale of clothing and small stores to NROTC students is authorized under the provisions of paragraph 42072-5, Bureau of Supplies and Accounts Manual. Where clothing and small stores retail stores are in the vicinity of NROTC units, purchases should be made in person whenever possible. Money orders for clothing and small stores may be sent to the nearest naval activity having a clothing and small stores retail store. Purchase of shoes by mail is not considered practicable due to possibility of misfits.

§ 711.809 *Purchases from Naval Uniform Shop*—(a) *NROTC students.* NROTC students are accorded the privileges of the Naval Uniform Shop, Twenty-ninth Street and Third Avenue, Brooklyn, N. Y., on a prepaid basis to supply themselves with items of equipment and uniforms. Such orders will bear the approval of the Professor of Naval Science.

(b) *NROTC graduates.* NROTC graduates are accorded credit by the Naval Uniform Shop for items of officers' clothing required as prescribed in U. S. Navy Uniform Regulations for initial outfitting only in accordance with the following terms:

(1) A maximum credit limit of $400.

(2) Account payable in six monthly installments, with the first payment due one month from date of graduation.

(3) If the indebtedness incurred for outfitting amounts to less than $400.00, the minimum monthly payment shall be not less than $60.00.

(c) Upon receipt of an order showing authorization by the Professor of Naval Science, the Naval Uniform Shop will furnish the graduate with a statement of his credit limit and terms of payment, together with a commitment to pay. The commitment will be signed by the graduate and returned to the Naval Uniform Shop immediately.

(d) Price lists, order blanks and detailed instructions concerning ordering will be furnished to each Professor of Naval Science by the Naval Uniform Shop.

§ 711.810 *Purchases from ship's stores and armed forces exchanges.* (a) Members of the NROTC on active duty for training purposes for periods in excess of seventy-two hours are entitled to all Ship's Store and Armed Forces Exchange privileges.

(b) Members of the U. S. Naval Reserve not in an active duty, drill, or training status shall be entitled to purchase necessary articles of uniform clothing and accoutrements in such quantities as would be required immediately when called to active duty.

§ 711.811 *Return of uniforms.* While all uniform outfits normally shall be considered to be gratuitous, midshipmen shall be informed at the time of issue that if they are disenrolled prior to the successful completion of their training and qualifying for commissions, they will be required to return all articles of uniform to the Professor of Naval Science.

§ 711.812 *Return of excess clothing.* (a) Clothing in excess of initial class outfitting requirements or articles of uniform recovered from disenrolled students will be returned to the supplying activity immediately, except that one dozen assorted sizes (where applicable) of the following articles may be retained for emergency issue:

Belt for raincoat/overcoat.
Caps, combination (complete assembly).
Coat buttons.
Corps or rank device.
Gloves, gray.
Metal pin-on insignia.
Neckties.

(b) No stocks of clothing other than those authorized above will be retained. Articles unfit for issue should be surveyed in accordance with paragraph 42017, Bureau of Supplies and Accounts Manual, and returned to the supply activity for disposition.

FACILITIES, SUPPLIES, AND EQUIPMENT

§ 711.901 *Facilities.* (a) The proper and efficient operation of an NROTC unit of standard size (250–300 men) requires certain physical spaces and facilities which can be summarized as follows:

(1) Classrooms (5), three of which have a normal capacity of 35 students; one of which has a normal capacity of 50 students; one of which, with a capacity of 35 students, contains a minimum floor area of 1,000 square feet for use as a navigation workroom.

(2) Offices (8), seven of which contain a minimum floor area of 200 square feet each; one of which contains a minimum floor area of 300 square feet.

(3) Clothing and text book storage and issue space: One room having a minimum floor area of 1,000 square feet, and possessing two entrances.

(4) Armory: A heavy reinforced floor area of approximately 4,000 square feet, on which will be placed heavy ordnance equipment, permanent installations. This area should have at least a 20-foot ceiling clearance, and flooring capable of carrying a load of 1,000 pounds per square foot.

(5) Auditorium of adequate size for assembly of the entire unit, available for use at various times. Usage of this auditorium will be determined in advance in keeping with the standard procedure in effect at the institution.

(6) Drill field: Any readily accessible, level, grass-covered, unobstructed area, with a minimum size of 8,000 square yards.

(7) Swimming pool, available for Naval student personnel.

(b) NROTC institutions are expected to provide the facilities specified in paragraph (a) of this section or comparable and adequate substitutes in the same manner that facilities are provided for other academic departments.

(c) The institution also normally provides a full-time civilian secretary to assist the Professor of Naval Science in connection with his duties as head of a major academic department.

§ 711.902 *Protection of Naval property*—(a) *Custodian.* The Professor of Naval Science will be the custodian of all Naval property. Issuance of and accounting for this property will be in accordance with standard Navy practice as provided by the Bureau of Supplies and Accounts Manual and Bureau of Naval Personnel directives.

(b) *Care and safekeeping of equipment.* The Professor of Naval Science is responsible for the care and safekeeping of all equipment which has been issued to him and for seeing that proper precautions are taken to prevent the equipment from being improperly used and from falling into the hands of irresponsible persons.

(c) *Responsibility of the institution.* The institution is expected to take the same precautions and to provide the same safeguards for the protection of Naval property as it does for the protection of its own property. The Professor of Naval Science will report to the proper authorities of the institution, in writing, any facts, circumstances, or conditions which he believes to be prejudicial to the proper protection of Naval property against loss through fire, flood, theft, tornado, or other similar causes. In the event that proper attention is not paid to such communication, report will be made to the Bureau of Naval Personnel via the Commandant.

(d) *Report of inspector on protective measures.* Inspectors visiting NROTC units will include within the purview of their inspections the precautions taken by institutions, their servants and employees, to protect Government property from loss, destruction, or damage by fire, flood, theft, tornado, or other similar causes. In each such inspection, the inspector will submit a report to the Bureau of Naval Personnel via the Commandant stating whether or not every reasonable precaution is being observed. If an unfavorable report is submitted, the defects will be stated in detail and a copy will be furnished to the head of the institution concerned. Access to all previous reports on Government property protection will be given the surveying officers.

(e) *Fire insurance.* An institution is not required to carry fire insurance on naval property.

§ 711.903 *Allowance list.* A standard allowance list has been established for NROTC units.

§ 711.904 *Allotments.* (a) The Bureau of Naval Personnel is assigned cognizance of the preparation of estimates and administration of funds that maintain the NROTC Program. Allotments are made to the District Commandant for the operation of units within the district. The Commandant requisitions services, equipment, material, and supplies required by the unit and not supplied by the institution or by the Bureau without charge to the Commandant's allotment. Charges are made by the Commandant against the allotted funds.

(b) Estimates of annual allotments needed by each unit are to be submitted by each Commandant as called for by the Bureau of Naval Personnel. The official accounting and financial reports to the Bureau of Naval Personnel in connection with allotments are the responsibility of the District Commandant.

§ 711.905 *Procurement of materials, supplies, and equipment.* Items which are deemed necessary for the successful functioning of the NROTC unit and which are beyond those which the institution should furnish in accordance with the provisions of § 711.901, can be procured either through the cognizant Bureau, without charge to the Commandant's allotment, or through the Commandant and chargeable to his allotment.

(a) *Navy Department procurement.* (Without charge to the Commandant's NROTC allotment.)

(1) Items of a technical nature with a limited use are frequently supplied by one of the Bureaus at no charge against the allotment granted the District Commandant for the unit. Such items are obtained by letter request to the cognizant Bureau via the Commandant and the Chief of Naval Personnel. In addition to the items listed in Art. 23028, Bureau of Supplies and Accounts Manual, the following items may be procured by letter request:

Publications.
Manuals.
Catalogues.
Training Courses for Rates.
Special Types of Equipment.

(2) Naval Science books, supplies, equipment, and all other miscellaneous items necessary for the conduct of the NROTC will be furnished by the Government. Such of the items mentioned in subparagraph (1) of this paragraph furnished to NROTC students at the expense of the Government, will upon graduation, withdrawal, or disenrollment of students from the unit, be reclaimed at the earliest possible date by the Professor of Naval Science. Students will not be furnished consumable supplies, such as paper and pencils, by the Government.

(3) Books paid for by the Government, other than those used in Naval Science courses, may be retained by the NROTC student (while in the NROTC) if they are needed by him and are not needed for further use in the unit. Disposal of obsolete publications, both Naval and non-Naval and including academic textbooks shall be made in accordance with current Navy Property Redistribution and Disposal Regulation No. 1, by shipping these publications to the nearest District Publication and Printing Office.

(4) *Cruise equipment.* Seabags will be maintained and stored at NROTC schools. Replenishment will be requisitioned as prescribed in § 711.804. Bedding required by NROTC midshipmen for training duty afloat will be supplied in accordance with Bureau of Ships directives. Bedding required by NROTC midshipmen for training duty ashore will be supplied by the appropriate ashore training activity in accordance with directives promulgated by the Bureau of Naval Personnel.

(5) *Cruise laundry.* The cost of cleaning and laundering of midshipman uniforms and clothing is paid by the individual student.

(6) *Paper targets* can be obtained by letter request direct to the nearer of the following two agencies:

Naval Supply Depot, Oakland, Calif.
Naval Supply Depot, Norfolk, Va.

(b) *District procurement.* (Chargeable to the Commandant's allotment.)

(1) *Annual requirements.* For recurring items of expense, such as office supplies or equipment, garage rental, and other services and supply, the Professor of Naval Science should estimate his requirements for each new fiscal year and request the Commandant by letter that requisitions be written to cover the procurement of such items. The letter of request should give an accurate and de-

tailed description of the goods or services required, estimated prices, names of bidders and a recommendation as to a supplier if one is considered particularly advantageous. Such requests should reach the Commandant by May 1 and will be processed in accordance with the Bureau of Supplies and Accounts Manual.

(2) *Office supplies.* Office supplies are to be obtained by issue from regular standard stock.

(3) *Special purchases.* The Commandant will arrange for the Professor of Naval Science to make so-called businessmen's purchases. The mechanism for such purchases is a so-called "annual-purchase requisition." The Commandant will indicate by what method and by whom such purchases can be made. The limiting amount both for total and individual purchases will be established annually by the Commandant within funds made available therefor by the Chief of Naval Personnel.

(4) *Nonrecurring items.* Requests for supplies or services not covered by annual requisition will be submitted to the Commandant in such manner as he may prescribe.

§ 711.906 *Transportation of supplies and equipment.* (a) *General procedures.* Instructions contained in the U. S. Navy Shipping Guide shall be followed in all cases which involve the shipment or receipt via truck and/or common carrier of materials or equipment. Those instances which require a determination as to procedure to be followed shall be referred by the Professors of Naval Science to the appropriate Navy Central Freight Control Offices located as follows:

Naval Districts 1, 3, and 4 except the State of Ohio: Naval Supply Depot, Bayonne, N. J.

Naval Districts 5 and 6, Potomac River and Severn River Naval Commands: Naval Supply Center, Norfolk, Va.

Naval Districts 8 and 9 and the State of Ohio: Naval Supply Depot, Great Lakes, Ill.

Naval Districts 11 and 12: Naval Supply Center, Oakland, Calif.

Naval District 13: Naval Supply Depot, Seattle, Wash.

(b) *Other services incidental to shipment or movement of supplies and equipment.* Services, such as packing, crating, rigging and local trucking, incidental to shipment or movement of supplies and equipment will be referred by Professors of Naval Science to the Commandant of the Naval District for determination as to methods of procuring and financing.

(c) *Drayage.* Drayage means pick up and delivery service in connection with bill of lading movements and in some instances, transportation of material moving under Government bill of lading. Generally, common carriers provide drayage service on less than carload amounts of freight; however, when the carriers do not provide this service, arrangements should be made for the necessary drayage service. Drayage arrangements should be made when notice is received by an institution that Government property has been shipped to such institution for the Professor of Naval Science. If the institution has drayage facilities, such facilities should be used. If the institution has no drayage facilities and drayage equipment is available at a Government activity in the vicinity, a formal request should be submitted to the Officer in Charge of the Government activity for the use of such equipment. If drayage services must be performed by commercial concerns, one of the following procedures, if applicable, shall be followed:

(1) *Drayage on shipments under government bills of lading.* Information will be compiled on all local draymen in position to handle Navy shipments, indicating their facilities and the rates usually assessed. The services of the drayage company in position to handle Navy shipments in the most satisfactory and economical manner will be employed. Public Voucher for Transportation Charges (Standard Form 1113) supported by the drayage bill will be submitted to the naval activity authorizing the drayage with a copy of the Government Bill of Lading (Standard Form 1103a) under which the shipment moved. The following certificate will be placed on the drayage bill and will be properly signed by the drayman: "Certified correct and just; payment not received." The officer concerned will approve the drayage bill, will make comment as to the reasonableness of the charge, and will forward the public voucher with the drayage bill to the Navy Regional Accounts Office, Washington, D. C., for payment. A separate bill of lading will never be issued to cover drayage on material from or to the terminal of a carrier when the material is moving via a common carrier on a government bill of lading.

(2) *Drayage on local movement not already covered by a government bill of lading.* Since movement of material between different parts of a city, or material purchased f. o. b. freight station at destination requires the preparation of a Government bill of lading, the Professors of Naval Science shall request that the District Supply Officer (i) prepare the Navy Government bill of lading or (ii) authorize the Professors of Naval Science to issue same in accordance with the provisions of the appropriate paragraphs of Article 1815–8 of the U. S. Navy Shipping Guide.

§ 711.907 *Accounting for supplies and equipment.* (a) Transfers of consumable supplies and Plant Property to a unit of the Naval Reserve Officers Training Corps will be invoiced per instructions in the Bureau of Supplies and Accounts Manual, Volumes II, VI, and VII to the designated accountable activity of the headquarters of the district in which the unit is located, as a transfer between supply officers.

(b) Issues of consumable supplies to units of the Naval Reserve Officers Training Corps will be charged by the designated accountable activity to the appropriate expenditure account and to the accounting number of the district headquarters in which the unit is located.

(c) Issues of Plant Property Class 3 (Equipage) to units of the Naval Reserve Officers Training Corps will be charged by the designated accountable activity to the appropriate expenditure account and to the accounting number of the district headquarters in which the unit is located. The value of this Plant Property (Equipage) will be carried on the plant account records of the designated accountable activity. (See the Bureau of Supplies and Accounts Manual, Volume VI, Chapter 3, and Volume VII, Chapter 3.)

(d) Upon receipt of property covered by a shipment order, the yellow copy of the shipment order which is mailed by the Bureau of Supplies and Accounts to the consignee, will be completed and immediately forwarded to the accountable activity for the headquarters of the district in which the unit is located.

(e) When equipment or expendable supplies are received accompanied by invoices, the material will be checked and a certificate of receipt placed on the original and one copy of the invoice by the Professor of Naval Science, showing the date the material was received. The original and copies of such invoices will be immediately forwarded to the accountable activity for the headquarters of the district in which the unit is located. The accountable activity for the headquarters of the district in which the unit is located will be immediately informed by letter, giving as much identifying information as possible, of all material received without invoices.

(f) The Professor of Naval Science will assist and cooperate with the responsible fiscal officer in the reporting of Plant Property located in the NROTC unit in compliance with instructions outlined in the Bureau of Supplies and Accounts Manual, Volume VI, Chapter 3.

§ 711.908 *Inventory*—(a) *Plant property.* Physical inventories of plant property will be conducted every three years between February 1 and May 1, or when otherwise directed by the Bureau of Supplies and Accounts. At units where the work load prohibits the conducting of an inventory between February 1 and May 1, permission to conduct the triennial physical inventory during another period will be requested from the Bureau of Supplies and Accounts. The officer carrying the plant account of the NROTC unit will be responsible, under the District Commandant, for coordinating, supervising and instituting local procedures to insure the complete and accurate physical inventorying of the plant property of the unit. The Professor of Naval Science will assist and cooperate with the fiscal officer in the conducting of physical inventories.

(b) *Books.* On March 31 of each year, an annual inventory of books will be submitted on form NavPers 381, showing the books actually on hand on that date. All columns of the above report will be filled, and the report signed by the Professor of Naval Science.

(1) The Professor of Naval Science shall take every reasonable precaution to have all NROTC students return Government-owned books which they have borrowed.

(2) All books, property of the NROTC unit, will be stamped on both covers and upon certain pages of the books, indi-

cating that they are "Government Property." Rubber stamps are provided for this purpose.

§ 711.909 *Return of government property.* When property is to be returned to the Government, shipping instructions will be issued by the District Supply Officer upon receipt of request from the Professor of Naval Science.

§ 711.910 *Surveys.* (a) Attention is invited to chapter 19, section 3, Articles 1946–1953, United States Navy Regulations, 1948 covering the survey of Government-owned material. Government property, equipage, worn out or damaged by fair wear and tear, incident to the use of the property in Naval instruction prescribed or authorized by the Secretary of the Navy, will be replaced at the expense of the United States. The original and two copies of the approved survey will be forwarded to the Bureau of Naval Personnel. In the event the survey report designates the unserviceable property to be shipped to a Naval Shipyard or Naval Station for salvage or repair, shipment of such material, where transportation is involved, will be made on Government bills of lading and in accordance with instructions issued by the Bureau of Supplies and Accounts. Surveyed material will be held on the records of the unit until copy of invoice covering the material is received from the consignee.

(b) Property lost, destroyed, or damaged by fire, flood, theft, tornado, or other similar causes will be replaced at the expense of the United States. A survey will be held as provided in Navy Regulations and surveys handled as stated in paragraph (a) of this section.

NROTC FORMS AND REPORTS

§ 711.1001 *Form of application for establishment of an NROTC unit.*

(Date)

To: Bureau of Naval Personnel,
Washington 25, D. C.

Subject: Application for Establishment of a Unit of the Naval Reserve Officers Training Corps.

1. By direction of the governing authorities of _____, application is hereby submitted for the establishment of a unit of the Naval Reserve Officers Training Corps at this institution.

2. Should this application be accepted by the Navy Department, this institution hereby agrees to the establishment and maintenance of a four-year course of Naval training for its physically fit male students under a Department of Naval Science, staffed with Naval Personnel. This course, equal in standing with major courses in other departments, will comprise instruction in Naval Science carrying the same weight toward a degree as the same number of hours in any other subject in the university's curriculum. Students who successfully meet the course requirements outlined in the Regulations for the Administration and Training of the Naval Reserve Officers Training Corps, including approximately twenty-four (24) semester or equivalent quarter hours of Naval Science, will be considered for the appropriate degree.

3. The institution will provide space for classrooms, offices, equipment, and drill for a normal size unit of 300 in accordance with the following minimum requirements.

Classrooms (5), three of which have a normal capacity of 35 students; one of which has a normal capacity of 50 students; one of which with a capacity of 35 students, contains a minimum floor area of 1,000 square feet for use as a navigation workroom.

Offices (8), seven of which contain a minimum floor area of two hundred square feet each; one of which contains a minimum floor area of three hundred square feet.

Clothing and text book storage and issue space, one room having a minimum floor area of one thousand square feet, and possessing two entrances.

Armory, heavily reinforced floor area of approximately four thousand square feet, on which will be placed heavy ordnance equipment, permanent installations. This area should have at least a twenty foot ceiling clearance, and flooring capable of carrying a load of one thousand pounds per square foot.

Auditorium, of adequate size for assembly of entire unit, available for use at various times. Usage to be determined in advance in keeping with standard procedure in effect at the institution.

Drill field, any readily accessible, level, grass-covered, unobstructed area, with a minimum of eight thousand square yards.

Swimming pool, available for naval student personnel.

4. It is understood that for normal operation an annual initial enrollment in the Naval Science course of 80 physically fit students of the freshman class, citizens of the United States, over 17 years of age, is required to maintain a Naval Reserve Officers Training Corps Unit.

5. This institution also agrees to promote and further the objects for which the Naval Reserve Officers Training Corps is established and to conform to the regulations of the Navy Department relating to the operation of the unit and to the care, use, safekeeping and accounting for such government property as may be issued for use by the unit.

(President)

(Name of Institution)

§ 711.1002 *Forms and reports.* The forms and reports listed in this section, in many cases peculiar to an officer-candidate training program, are required in the administration of the NROTC, and will be in addition to the reports normally required of the commanding officers of all naval stations.

(a) *Enrollment of Regular students.*

(1) (NavPers 916) Forwarding Endorsement, 1 copy.
(2) Record Sheet (ETS Form), 1 copy.
(3) (NavPers 912) Application for NROTC and NACP, 2 copies.
(4) (NavPers 917) Contract for NROTC, 2 copies.
(5) Birth Certificate.
(6) (NavPers 915) Evidence of Citizenship, if necessary, 1 copy.
(7) (NavPers 965) Evidence of Discharge, if necessary, 1 copy.
(8) (NavPers 919) Reference Questionnaire, 3 copies.
(9) (NavPers 958) Interviewers Appraisal Sheet, 2 copies.
(10) (NavPers 923) High School Record, 1 copy.
(11) College Transcript, if applicable, 1 copy.
(12) (Standard Form 88) Report of Medical Examination, 2 copies.
(13) (Standard Form 89) Report of Medical History, 1 copy. (Attach to the original of Standard Form 88.)
(14) (DD 369N) Armed Forces Fingerprint Record, 1 copy.
(15) Loyalty Certificate.
(16) (NavPers 1406) Deferment Agreement.

The above forms (1–16) will be executed at the Navy Recruiting Station which processed the candidate, and be submitted (assembled) to the Professor of Naval Science at the NROTC unit at which the student is enrolled.

(17) (NavMed H–2 and H–4) Health Record (Physical Examination and Dental Record). These forms, in duplicate, will be prepared by the Navy Recruiting Stations for all civilian applicants found physically qualified during processing. The original copies will be forwarded to the appropriate Professor of Naval Science, and the duplicate copies will be forwarded directly to the Bureau of Medicine and Surgery for each applicant selected for appointment. In the case of enlisted candidates, the separation activity will forward the man's complete Health Record to the Bureau of Naval Personnel (Attention Pers–B6241). The Bureau will forward the required records to the Bureau of Medicine and Surgery and forward the remainder of the Health Record to the appropriate Professor of Naval Science.
(18) (NavPers 339) Acceptance and Oath of Office.
(19) (NavPers 989) Application Control and Processing Record.

(b) *Enrollment of Contract students.*

(1) (NavPers 912) Application for NROTC and NACP, 2 copies.
(2) (NavPers 916) Forwarding endorsement, 1 copy.
(3) (NavPers 918) Contract, NROTC, 2 copies.
(4) (Nav Pers 915) Evidence of Citizenship, if necessary, 1 copy.
(5) (NavPers 965) Evidence of Discharge, if necessary, 1 copy.
(6) (NavPers 919) Reference Questionnaire, 3 copies.
(7) (NavPers 958) Interviewers Appraisal Sheet, 2 copies.
(8) (Standard Form 89) Report of Medical History, 1 copy. (Attach to the original of Standard Form 88.)
(9) (DD 369N) Armed Forces Fingerprint Record, 1 copy.
(10) (Standard Form 88) Report of Medical Examination, 3 copies, triplicate copy to be retained in files of the NROTC unit. To be submitted in duplicate after the initial medical examination to the Chief of the Bureau of Medicine and Surgery via the Chief of Naval Personnel.
(11) (NavMed H–2 and H–4) Health Record (Physical Examination and Dental Record). These forms, in duplicate, will be opened for each student enrolled in the NROTC. The original copies will be retained in the health record by the Professor of Naval Science and the duplicates will be forwarded directly to the Bureau of Medicine and Surgery.
(12) Birth Certificate.
(13) College Transcript, if applicable, 1 copy.
(14) (NavPers 1213 or 1406) Deferment Agreement.
(15) Loyalty Certificate.
(16) (NavPers 989) Application Control and Processing Record.

(c) *Disenrollment.*

(1) (NavPers 368) Naval Training Course Certificates. Issued by the Professor of Naval Science to Naval Science students who have completed successfully courses in Naval Science, to NROTC students leaving units under honorable conditions before graduation, or to graduates ineligible for commissioning.
(2) (NavPers 364) Disenrollment Report. Submitted in duplicate to the Bureau of Naval Personnel by the Professor of Naval Science for every NROTC student who is disenrolled or recommended for disenrollment.
(3) (NavMed H–2 and H–4) Health Record (Physical Examination and Dental Record). These forms shall be forwarded to the District Medical Officer of the cognizant Naval District, who will close out the H–2 by reason

of disenrollment, stating the authority and that the student was not present for examination, prior to transmission to the Bureau of Medicine and Surgery.

(d) *Commissioning.*

(1) Recommendation for Commission, NROTC Roster for Graduating Students submitted in accordance with existing directives to the Bureau of Naval Personnel. (§ 711.312)

(2) (NavPers 989) Application Control and Processing Record. Prepared in accordance with existing directives and submitted to the Bureau of Naval Personnel for each prospective graduate, at least 90 days prior to graduation. (§ 711.312)

(3) (NavPers 305) Officer Qualification Record Jacket. The jacket shall contain a copy of the Officer Qualification Questionnaire and the Original of the Training School Report. Officers ordered to active duty will take their Qualification Record Jacket to their next duty station. The jacket of each Naval Reserve officer going to inactive duty shall be forwarded to the Commandant of the Naval District in which he resides. The jacket of each Marine Corps Reserve officer going on inactice duty shall be forwarded to the Commandant of the Marine Corps.

(4) (NavPers 318) Training School Report. One duplicate copy to be submitted as soon as possible after commissioning to the Chief of Naval Personnel (Pers-B112) or to the Commandant of the Marine Corps, as appropriate.

(5) (NavPers 309) Officer Qualification Questionnaire. Original to be submitted as soon as possible after commissioning to the Chief of Naval Personnel (Pers-B112), or to the Commandant of the Marine Corps, as appropriate.

(6) (NavPers 16722-16726) Officer Classification Battery. Submitted to the Chief of Naval Personnel (Pers-B112) in accordance with current instructions.

(7) Application for Commission in Marine Corps or Marine Corps Reserve. To be submitted in letter form, with the endorsement of the Professor of Naval Science, 90 days prior to commissioning, to the Commandant of the Marine Corps, Washington, D. C., via the Chief of Naval Personnel. (§§ 711.313 and 603)

(8) Application for Commission in a Staff Corps. (§ 711.312)

(9) (NavPers 339 (USN) or NavPers 962 (USNR)) Acceptance and Oath of Office (USN and USNR). To be submitted in accordance with the distribution indicated on the forms except that in the case of each officer commissioned in the USNR, the executed copy of this form marked: "This copy shall be retained by the office administering oath and acceptance of office" shall be forwarded to the Commandant of the Naval District in which he resides.

(10) (NAVMC 763PD) Appointment Acceptance and Record. (USMC.) To be submitted to the Commandant of the Marine Corps.

(11) (NAVMC 763PD) Appointment Acceptance and Record. (USMCR.) To be submitted to the Commandant of the Marine Corps.

(12) (Standard Form 88) Report of Medical Examination (in duplicate) and (Standard Form 89) Report of Medical History (one copy). Submit 90 days prior to commissioning to the Chief, Bureau of Medicine and Surgery via the Chief of Naval Personnel. Precommissioning medical examination shall be conducted not more than 180 days prior to commissioning.

(13) (NavMed H-2 and H-4) Health Record (Physical Examination and Dental Record). For each student to be commissioned in the Regular Navy or Marine Corps, the old NavMed H-2 and NavMed H-4 shall be forwarded to his new duty station, with a statement to the effect that no medical officer is attached to the NROTC unit, and requesting that the old NavMed H-2 and H-4 be closed out, and that a new NavMed H-2 and H-4 be opened in duplicate, the duplicates to be forwarded to the Bureau of Medicine and Surgery with the old forms. For each student to be commissioned in the Naval Reserve or Marine Corps Reserve, the old NavMed H-2 and H-4 shall be forwarded to the Commandant of the Naval District, or the Director of the Marine Corps Reserve District, in which the officer resides, with a statement that the old NavMed H-2 and H-4 be closed out, and that a new NavMed H-2 and H-4 be opened in duplicate, the duplicates to be forwarded to the Bureau of Medicine and Surgery with the old forms.

(14) (NavPers 391) Class Standing of NROTC Graduates Commissioned. Submitted, in duplicate, to the Bureau of Naval Personnel (Pers C124) as soon as practicable after commissioning, in accordance with current directives. (§ 711.314)

(e) *Periodic.*

(1) (NavPers 384) Subsistence Roll, monthly. (§ 711.703)

(2) (NavPers 384a) Subsistence Roll, memorandum copy.

(3) (NavPers 1931) Monthly Change of Status Report. Submitted monthly to the Bureau of Naval Personnel in accordance with current directives.

(4) (NavPers 381) Annual Return of Books. Submitted to the Bureau of Naval Personnel on 31 March of each year. (§ 711.908)

(5) (Standard Form 88) Report of Medical Examination. Submitted, in duplicate, after the annual medical examination of each NROTC student to the Chief of the Bureau of Medicine and Surgery via the Chief of Naval Personnel. (§ 711.306)

(6) (NavPers 1918A) NROTC and NACP Information Register. Submitted annually to the Bureau of Naval Personnel (Pers-424) in accordance with current directives.

(7) Plant Property Inventory. Submitted every 3 years. (§ 711.908)

(8) University Catalogue or Announcements of Individual Colleges. Submit 3 copies to the Chief of Naval Personnel (NROTC Section) when published.

(9) (NavOrd 1744B) General Ammunition Report. Submitted annually, as of 30 June, to the Chief of the Bureau of Ordnance.

(10) (Small Arms-Sheet 1) Report of Small Arms Practice. Submitted annually, as of 30 June, to the Chief of Naval Operations.

(11) (NavPers 353) Roster of Officers. One copy submitted monthly to the Bureau of Naval Personnel (Pers-C1242), indicating in column 10 thereof, the Naval Science courses which each officer is currently teaching.

(f) *Miscellaneous.*

(1) Transcript of Academic Record. (§ 711.312)

(2) Report of Commission Withheld. (§ 711.312)

(3) Approval of Transfer between NROTC Units. (§ 711.308)

(4) Application for Extension of Time to Complete Academic Requirements. (§ 711.311)

(5) Report of Substitution of College Course for NROTC Course. (§ 711.504)

(6) Individual Student Record Forms. (§ 711.509)

(7) Application for Enrollment in Marine Corps Naval Science Courses. (§ 711.601)

(8) (NavPers 2474) NROTC Aptitude/Conduct Evaluation Form.

(9) Notice of Allotment for National Service Life Insurance. (§ 711.705)

(10) (BuSandA Form 510) Commanding Officer's Pay Record Order. (§ 711.702)

(11) (BuSandA Form 1071) Mileage Voucher. (§ 711.706)

(12) Clothing Requisitions. (§ 711.804)

(13) Report on NROTC Students Placed (or Removed from) a Leave Status. (§ 711.311)

(14) (NavPers 2485) Enlisted Instructor Data Card.

DAN A. KIMBALL,
Secretary of the Navy.

APRIL 18, 1952.

[F. R. Doc. 52-4678; Filed, Apr. 25, 1952; 8:47 a. m.]

Subchapter G—Miscellaneous Rules

PART 765—RULES APPLICABLE TO THE PUBLIC

RELATIONS WITH CIVIL ACTIVITIES

1. Section 765.2 is amended to read as follows:

§ 765.2 *Relations with civil activities.* (a) All activities of whatever nature carried on within the limits of a naval station or on board vessels of the Navy shall be under naval control.

(b) All naval authorities should cultivate and maintain cordial and friendly relations with any organization which desires to contribute to the welfare of the personnel of the Navy outside of naval stations and on shore generally.

(R. S. 161; 5 U. S. C. 22)

DAN A. KIMBALL,
Secretary of the Navy.

APRIL 18, 1952.

[F. R. Doc. 52-4677; Filed, Apr. 25, 1952; 8:46 a. m.]

PART 765—RULES APPLICABLE TO THE PUBLIC

ADMISSION OF CIVILIANS TO NAVAL MEDICAL-TREATMENT FACILITIES

Section 765.5 is revised to read as follows:

§ 765.5 *Admission of civilians to naval medical-treatment facilities.* Any member of the civilian population may be admitted for humanitarian reasons, at the discretion of the commanding officer, to any naval activity having facilities for in-patient care. Such a patient shall be classified as an indigent only after reasonable attempts to collect charges for hospitalization at established rates have been unsuccessful in the opinion of the commanding officer.

(R. S. 161; 5 U. S. C. 22)

DAN A. KIMBALL,
Secretary of the Navy.

APRIL 18, 1952.

[F. R. Doc. 52-4676; Filed, Apr. 25, 1952; 8:46 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 67]

PART 600—DESIGNATION OF CIVIL AIRWAYS

ALTERATIONS

The civil airway alterations appearing hereinafter has been coordinated with the civil operators involved, the Army, the Navy, and the Air Force, through the Air Coordinating Committee, Airspace Subcommittee and are adopted to become effective when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to public interest, and therefore is not required.

Part 600 is amended as follows:

Section 600.235 is amended to read:

§ 600.235 *Red civil airway No. 35 (Pueblo, Colo., to St. Joseph, Mo.).* From the Pueblo, Colo., radio range station via the La Junta, Colo., radio range station; Garden City, Kans., radio range station; Hutchinson, Kans., radio range station to the intersection of the east course of the Hutchinson, Kans., radio range and the southwest course of the Forbes AFB (Topeka, Kans.) radio range. From a point on the center line of the southwest course of the Forbes AFB radio range 15 miles southwest of the radio range station via the Forbes AFB radio range station to the intersection of the northeast course of the Forbes AFB radio range and the south course of the St. Joseph, Mo., radio range.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpreta or applies sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall become effective 0001 e. s. t. May 1, 1952.

[SEAL] F. B. LEE,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 52-4672; Filed, Apr. 25, 1952; 8:45 a. m.]

[Amdt. 72]

PART 601—DESIGNATION OF CONTROL AREAS, CONTROL ZONES, AND REPORTING POINTS

MISCELLANEOUS AMENDMENTS

The control area and control zone alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy and the Air Force, through the Air Coordinating Committee, Airspace Subcommittee, and are adoped to become effective when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to public interest, and therefore is not required.

Part 601 is amended as follows:

1. Section 601.14 *Green civil airway No. 4 control areas (Los Angeles, Calif., to Philadelphia, Pa.)* is amended after the portion which reads "Emporia, Kans., omnirange station to the Kansas City, Mo., omnirange station via the direct en route and 15° northwest altitude change radials" by adding the following portion to read: "excluding the portion which overlaps danger areas;".

2. Section 601.1164 is amended to read:

§ 601.1164 *Control area extension (Quonset Point, R. I.).* All that area bounded by a line beginning at a point on the southern boundary of Red civil airway No. 94 at lat. 41°35'00", long. 71°06'30", thence westward along that airway boundary to the southeastern boundary of Red civil airway No. 21, thence southwesterly along the southeastern boundary of that airway to lat. 41°32'00", long. 71°33'25", thence perpendicularly southeastward to a point 3 miles from the southwest course of the Providence, R. I., radio range, thence southwestward paralleling the southwest course of the Providence, R. I., radio range to a point at lat. 41°17'00", long. 71°44'45" on an arc of a circle with a 27-mile radius centered on the Quonset Point, R. I., NAS radio range station, thence counterclockwise along this arc to lat. 41°17'15", long. 71°00'40", thence northwestward to lat. 41°29'25", long. 71°12'00", thence northeastward to lat. 41°35'00", long. 71°06'30", point of beginning, excluding the portions which overlap danger areas and caution areas.

3. Section 601.1213 *Control area extension (Lake Charles, La.)* is revoked.

4. Section 601.1216 *Control area extension (New Orleans, La.)* is amended by adding the following portion to the present control area extension: "and excluding the portion which lies west of long. 90°15'00"."

5. Section 601.1218 is amended to read:

§ 601.1218 *Control area extension (New Orleans, La.).* All that area from the U. S. shoreline to the New Orleans Oceanic Control Area bounded on the north by a direct line from the Callender, La., non-directional radio beacon to a point coinciding with the northernmost limit of the New Orleans Oceanic Control Area at lat. 29°25'00", long. 87°00'00", on the southeast by the New Orleans Oceanic Control Area boundary, on the southwest by the New Orleans, La., Control Area Extension No. 1217, on the west by the U. S. shoreline, excluding that portion below 2,500 feet between the U. S. shoreline and the New Orleans Oceanic Control Area.

6. Section 601.1246 is amended to read:

§ 601.1246 *Control area extension (Evansville, Ind.).* All that area within a 15-mile radius of the Evansville omnirange station excluding the portion which overlaps danger areas, and the area within 5 miles either side of a line bearing 37° True extending from the Evansville outer marker to a point 25 miles northeast of the outer marker.

7. Section 601.1983, *3-mile control zones,* is amended by deleting the following airport: "Engle, N. Mex.: C. A. A. Intermediate Field."

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall become effective 0001 e. s. t. May 1, 1952.

[SEAL] F. B. LEE,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 52-4673; Filed, Apr. 25, 1952; 8:45 a. m.]

[Amdt. 22]

PART 608—DANGER AREAS

ALTERATIONS

The danger area alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy, and the Air Force, through the Air Coordinating Committee, Airspace Subcommittee, and are adopted to become effective when indicated in order to promote safety of the flying public. Since a military function of the United States is involved, compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act is not required.

Part 608 is amended as follows:

1. In § 608.17, the Milford, Delaware, area, published on January 26, 1951, in 16 F. R. 713, and amended on March 6, 1951, in 16 F. R. 2051, is further amended by changing the "Description by Geographical Coordinates" column to read: "A circular area with a 3 mile radius, centered at lat. 38°58'12" N, long. 75°17'30" W."

2. § 608.51, the Waco, Texas, area (1) (D-374), published on September 7, 1951, in 16 F. R. 9070, is amended by changing the "Description by Geographical Coordinates" column to read: "E boundary: long. 98°12'00" W; W boundary: long. 98°14'00" W; N boundary: lat. 31°17'20" N; S boundary: lat. 31°15'40" N."

3. § 608.54, the Great Machipongo Inlet, Virginia, area (D-85), published on April 10, 1952, in 17 F. R. 3144, is amended by changing the "Description by Geographical Coordinates" column to read: "Beginning at lat. 37°35'00" N, long. 75°36'25" W; due E to a point 3 nautical miles from the shoreline at long. 75°32'20" W; SW paralleling the shoreline at a distance of 3 nautical miles to lat. 37°21'00" N, long. 75°39'00" W; due W to long. 75°42'40" W; NE along the shoreline to lat. 37°35'00" N., long. 75°36'25" W, point of beginning."

4. In § 608.54, the Quantico, Virginia, area, published on July 16, 1949, in 14 F. R. 4297, is amended by changing the "Time of Designation" column to read: "Continuous, Monday through Friday, and daylight hours only on Saturday."

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall become effective on April 25, 1952.

[SEAL] F. B. LEE,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 52-4740; Filed, Apr. 24, 1952; 5:12 p. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 140]

CPR 140—NORTHEASTERN WHITE PINE LUMBER

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Ceiling Price Regulation 140 is hereby issued.

STATEMENT OF CONSIDERATIONS

This regulation establishes dollar-and-cent ceiling prices for Northeastern white pine lumber. It covers manufacturers (sawmills, planing mills and concentration yards) producing square edge and round edge white pine lumber sawed from the white pine tree (Pinus strobus) in the states of Maine, New Hampshire, Vermont, Connecticut, Rhode Island, Massachusetts, New York and Pennsylvania. Provision is made for allowing commission men, through whom a sale may be made, an addition to the mill ceiling prices. Resellers, such as wholesalers and distribution yards, are not under the coverage of this regulation. Their ceiling prices are determined under the General Ceiling Price Regulation or by Supplementary Regulations 29 and 87 to the General Ceiling Price Regulation.

Nature of the industry. Northeastern white pine lumber is sawed in approximately 8,000 sawmills located in the above-named Northeastern states. The 1947 census of manufacturers shows that 70 percent of these mills cut from 1,000 to 200,000 board feet per year; 24 percent cut from 200,000 to 1,000,000 board feet per year; and that 6 percent cut between 1,000,000 and 3,000,000 board feet per year. These mills cut all species of lumber common to the region, and employ more than 20,000 employees whose total wages approximate $40,000,000 yearly. Sales of Northeastern white pine lumber account for an annual sales volume of $50,000,000 f.o.b. mill. Approximately 65 percent of Northeastern white pine lumber is produced in Maine and New Hampshire.

Northeastern white pine lumber is a packaging material, commonly used to make boxes for packaging and shipping ammunition and explosives, and for cases and boxes for scientific and military instruments. Other uses are for cabinet work, paneling, window and door frames, picture frames and blanks for industrial uses.

Northeastern white pine is sawed as "square edge" and "round edge" lumber. "Square edge" lumber is processed on the four sides of the piece, is marketed as rough or planed, and is air-dried, kiln-dried, or green. "Round edge" lumber is sawed or processed on only two sides of the piece without sawing or otherwise processing the edges. "Square edge" is marketed by grades and is used principally for making boxes and in construction. "Round edge" is remanufactured into boxes, cases, or is cut into blanks for turning or other shaping.

"Round edge" box white pine is predominantly a small mill product. The output fluctuates with climatic conditions, a semi-skilled labor supply, the availability, quality, and proximity of stumpage and the market situation. The major volume of this item of lumber is produced under negotiated or contractual agreements wherein the price is agreed upon for delivery at a future date, sometimes as much as 9 months or 2 years later. When it is sold green it is hauled away from the mill pit about as fast as it is sawed, or, if it is to be delivered later, it is stacked for drying with sticks placed crosswise between the layers of the pieces.

The Northeastern softwood industry markets principally Northeastern white pine, Eastern hemlock, Eastern spruce, Norway pine, Eastern cedar, jack pine and balsam fir. This regulation covers only Northeastern white pine, the principal species. It is intended in the near future to expand the coverage of this regulation so as to provide dollars-and-cents ceiling prices for the other species.

The level of ceiling prices under this regulation. Ceiling prices established by this regulation for "square-edge" boards, which comprise 65 percent of the products of the industry, are approximately at the level prevailing during the period from January 25, 1951, through February 24, 1951, which is the level prevailing just before the date of issuance of this regulation. This level of prices for "square edge" is approximately 21 percent higher than that which existed during June 1950. For "round-edge" boxboard, accounting for the remaining 35 percent of production, the ceiling prices established are approximately 15 percent higher than the level at which deliveries under old contracts were being made during the period January 25, 1951, through February 24, 1951, and about 30 percent above the June 1950 level.

The level of ceiling prices established restores the historic price relationship between "square-edge" and "round-edge" boards. This differential had become distorted during the period between June 1950 and the date on which prices were frozen by issuance of the GCPR (January 26, 1951). This distortion had resulted because of the industry practice of selling "round-edge" on a long term contract basis while "square-edge" was normally sold on the going market price. Due to this situation, the quoted prices for "round-edge" were based on contracts entered into as far back as the period January to June 1950, and based on costs prevailing at that time. Prices of "square-edge", on the other hand, not being bound by terms of long contracts, reflected increased costs between the pre-Korean period and January 26, 1951.

Nature of this regulation. This regulation establishes ceiling prices for sales by manufacturers whether the sale is effected directly by the manufacturer or through a commission man. Manufacturers covered include sawmills, planing mills and concentration yards. Commission men do not take title to the lumber they sell for manufacturers. Provision is made for an addition to the spelled out ceiling prices for sales effected through a commission man.

The basic ceiling prices are f. o. b. prices. However, to avoid the confusion which existed under OPA when basic prices were established as "f. o. b. mill", this regulation eliminates use of the term "mill" and instead establishes ceiling prices for sales "f. o. b. cars or trucks, customary loading out point", "f. o. b. on sticks in yard" or "f. o. b. mill pit".

An addition to the f. o. b. cars or trucks ceiling prices is permitted for transportation charges on delivered sales, such as sales delivered by rail carrier, by common or contract carrier other than rail carrier, and by truck owned or controlled by the seller. Industry established weights for dry lumber are set forth.

For retail-type sales, the regulation provides that an addition of 15 percent to the f. o. b. cars or trucks prices may be made under certain limitations.

Miscellaneous additions to the basic ceiling prices are also permitted for anti-stain treatment, for staking, wiring and separating lumber in open top cars, for erecting bulkheads on cars, and for sling-load packaging. It is permissible to sell in a combination of grades provided each grade is shown on the invoice and separately tallied.

Provision is made for sellers to make application for special ceiling prices for sales of items or grades for which specific ceiling prices are not listed in the price tables or cannot otherwise be determined.

FINDINGS OF THE DIRECTOR OF PRICE STABILIZATION

In the judgment of the Director of Price Stabilization the ceiling prices established by this regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

So far as practicable in the formulation of this regulation, the Director of Price Stabilization has given due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, as amended; to prices prevailing during the period from May 24, 1950 to June 24, 1950, inclusive; to those prevailing during the period January 25 through February 24, 1951, as well as to the level of prices prevailing just before the issuance of this regulation; and to all relevant factors of general applicability.

In formulating this regulation, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations. This consultation included two meetings in Washington, D. C., with the Industry

Advisory Committee for Northeastern Softwood and several meetings with its subcommittees.

Every effort has been made to conform this regulation to existing business practices, especially those peculiar to the New England region with respect to the production, sale and distribution of Northeastern white pine lumber. Insofar as any provisions of this regulation may operate to compel changes in those business practices, such provisions are found by the Director of Price Stabilization to be necessary to prevent circumvention or evasion of this regulation.

REGULATORY PROVISIONS

ARTICLE I—COVERAGE

ARTICLE II—BASIC CEILING PRICES, ADDITIONS, RETAIL-TYPE SALES AND COMMISSION-TYPE SALES

ARTICLE III—PRICING RULES AND GRADES

ARTICLE IV—SPECIAL CEILING PRICES

ARTICLE V—RECORDS AND INVOICES

ARTICLE VI—MISCELLANEOUS PROVISIONS

ARTICLE VII—BASIC CEILING PRICE TABLES AND ESTABLISHED WEIGHTS

ARTICLE VIII—DEFINITIONS

AUTHORITY: Articles I to VIII issued under Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101–2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

ARTICLE I—COVERAGE

SECTION 1.1 *What this regulation does.* This regulation establishes dollars-and-cents ceiling prices for manufacturers' sales of Northeastern white pine lumber which are effected directly by manufacturers or through commission men.

SEC. 1.2 *Which regulation is superseded.* This regulation supersedes the General Ceiling Price Regulation in respect to the transactions covered by this regulation.

SEC. 1.3 *Items, species, and area of production covered.* This regulation covers all Northeastern white pine lumber (Pinus strobus), rough or dressed, green or dry, produced in the states of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, and Pennsylvania.

SEC. 1.4 *Sellers and transactions covered.* (a) This regulation applies to all sales by manufacturers of the lumber covered by this regulation. It thus applies when a manufacturer sells his lumber to a wholesaler, retailer, industrial user, or to any other reseller or consumer of lumber, whether or not the sale is effected directly or through a commission man.

(b) The term "manufacturer" includes sawmills, planing mills and concentration yards. Sawmills and planing mills are establishments engaged in the production of lumber from logs or rough lumber by sawing or planing or both. Concentration yards are establishments which secure lumber, usually in rough green form, from sawmills producing rough lumber, and then dry, dress and otherwise prepare it for commercial shipment.

(c) The term "commission man" refers to a person who customarily initiates the sale of, and sells, lumber in carload or truckload quantities for two or more manufacturers; he does not purchase for his own account or assume any credit risks; he receives his compensation in the form of a commission based on the amount of lumber sold, and is independent of both buyer and seller.

SEC. 1.5 *Geographical applicability.* Every manufacturer's sale for delivery (f. o. b. or on a delivered basis) in the 48 States of the United States or in the District of Columbia is subject to this regulation, whether or not the sale of the lumber is made in the United States.

ARTICLE II—BASIC CEILING PRICES, ADDITIONS, RETAIL-TYPE SALES AND COMMISSION-TYPE SALES

SEC. 2.1 *General explanation of ceiling prices.* The basic ceiling prices established by this regulation are f. o. b. ceiling prices. They are set forth in Article VII. These basic f. o. b. ceiling prices differ depending upon whether the sale is made: f. o. b. cars or trucks at customary loading out points; f. o. b. mill pit; or f. o. b. on sticks in yard.

Sections 2.2 through 2.6 explain how the basic f. o. b. ceiling prices are modified under certain circumstances, as, for example, when you sell your lumber on a delivered basis, or when you sell your lumber through a commission man.

SEC. 2.2 *Delivered sales; general.* This regulation permits you to sell your lumber on a delivered basis as well as on an f. o. b. basis. On sales on a delivered basis, you may add to the f. o. b. cars or trucks ceiling prices the transportation additions as described in section 2.3.

SEC. 2.3 *Delivered ceiling prices*—(a) *Rail carrier.* When you sell on a delivered basis and you ship your lumber by rail, the delivered ceiling prices are the f. o. b. cars or trucks ceiling prices plus an addition for transportation. The transportation addition is computed by multiplying the appropriate established weight shown in Article VII by the applicable through rail rate in effect at the time of shipment. When a rail shipment is followed by a truck haul, the actual cost of truck delivery may also be added. No addition may be made for a truck haul preceding the rail haul, as, for example, when a mill located away from a railhead hauls lumber by truck to the railhead. The transportation addition must be rounded out to the nearest quarter-dollar per M'BM. The delivered price need not thereafter be revised or adjusted even if the amount actually charged by the rail carrier is different from the addition for transportation included in your delivered price.

(b) *Common or contract carrier other than rail.* When you sell on a delivered basis and the shipment moves entirely by common or contract carrier other than by rail carrier, the actual cost of transportation may be added to the f. o. b. cars or trucks ceiling prices.

(c) *Private truck shipments.* When you sell on a delivered basis, and the shipment moves entirely by truck owned or controlled by you, the delivered ceiling prices are the f. o. b. cars or trucks ceiling prices plus one of the following additions:

(1) For distances up to and including 30 miles, as much as $5.00 per M'BM.

(2) For distances greater than 30 miles, an amount equal either to the applicable through rail rate in effect at the time of shipment for the equivalent distance multiplied by the appropriate established weight; or an amount equal to the applicable common carrier truck charge.

(d) *Distance defined.* As used in this section, the term distance refers to the actual mileage from your customary loading out point to the point of destination as measured by truck speedometer. It does not include the return mileage from the point of destination to your customary loading out point. The term point of destination includes a yard or job site.

SEC. 2.4 *Retail-type sales*—(a) *Increased ceiling prices.* On retail-type sales, as defined in paragraph (b) of this section, the ceiling prices are the basic f. o. b. cars or trucks ceiling prices increased by 15 percent.

(b) *Definition and limitations.* A retail-type sale is a sale of less than 10,000 feet board measure to a buyer who is a contractor or ultimate consumer, and who will use the lumber for construction or maintenance; it is not a sale to a commercial or industrial user for use in manufacturing; nor is it a sale to a buyer who purchases the lumber for resale. The lumber must be for use within a radius of 50 miles of seller's customary loading out point by truck. The total quantity of lumber involved in a single transaction or sale, between you and the buyer, without regard to the quantities involved in single deliveries, shall determine whether or not a sale qualifies

as a retail-type sale within the meaning of this section.

If you increase the basic f. o. b. cars or trucks ceiling prices for a retail-type sale: you must give the buyer the privilege of exchanging and returning unused lumber; you must rectify promptly any short deliveries from stocks you keep on hand for this purpose; you may either deliver the lumber to the buyer at your mill, or at a place the buyer selects, but you may not make a further addition for delivery as permitted in section 2.3; and you may not increase the basic ceiling prices for a commission paid to a commission man as permitted in section 2.6.

SEC. 2.5 *Miscellaneous price additions.* (a) You may add not more than the amounts set forth below to the appropriate basic f. o. b. ceiling (or lower) prices, for the following indicated services:

(1) Anti-stain treatment by dipping in a vat (not by spraying) containing an effective chemical solution: $1.00 per M'BM.

(2) Staking, wiring, and separating lumber in open top cars: $25.00 per car covering all materials and labor.

(3) Erecting, on open or closed cars, bulkheads made in conformity with the specifications of the Mechanical Division of the Association of American Railroads: $10.00 per bulkhead covering all materials and labor.

(4) Packaging in sling-loads or otherwise whereby the load is divided into individual parcels to facilitate mechanical loading and reloading: $3.00 per M'BM covering all materials and labor.

(b) Except for anti-stain treatment, the additions provided in paragraph (a) of this section may be made only when the indicated services are specifically requested by the buyer.

SEC. 2.6 *Commission-type sales*—(a) *Addition allowed.* When a sale of your lumber is brought about by the efforts of a commission man, your ceiling price is the otherwise applicable ceiling price on the lumber sold plus 4 percent of the applicable f. o. b. ceiling price. However, the amount which you may charge the buyer, pursuant to this section, over and above the otherwise applicable ceiling price, may not exceed the actual commission which you pay the commission man. (The term commission man is defined in section 1.4.)

(b) *Pyramiding prohibited.* The price additions permitted for a commission man in this section may not be added more than once regardless of the number of commission men participating in the transaction.

ARTICLE III—PRICING RULES AND GRADES

SEC. 3.1 *Pricing rules.* You must apply the following rules in determining ceiling prices under this regulation:

(a) Lumber sold in a combination of grades, for which no ceiling price is specifically set forth in this regulation, may not be sold above the ceiling price for the lowest priced grade actually included in the combination. However, it is permissible to sell a combination of grades where the exact quantity of each grade shipped is separately shown on the invoice and separately tallied, in which case the appropriate ceiling price for the quantity of each grade shipped may be charged.

(b) The ceiling price for lumber which is not actually graded by the seller on a piece by piece basis, prior to shipment, and which is not sold on a log-run basis under Article VII, is the applicable combination grade price established under paragraph (a) of this section.

SEC. 3.2 *Grades.* The grade terms used in this regulation have the meanings set forth in Standard Grading Rules for Northern White Pine and Norway Pine (Northeastern type) published by the Northeastern Lumber Manufacturers Association, Inc., effective January 1, 1937 and as revised June 1, 1948.

ARTICLE IV—SPECIAL CEILING PRICES

SEC. 4.1 *Establishment of ceiling prices on application.* (a) If you wish to sell an item or grade of lumber covered by this regulation for which a specific ceiling price is not listed in the ceiling price tables, such as, for dunnage, for the B and C selects over D and better grade, for round edge white pine butts, or if you wish to make an addition for special workings, specifications, services or other extras for which additions are not specifically permitted, you must file an application with the OPS, Forest Products Division, Washington 25, D. C., by registered mail, return receipt requested by you, to establish ceiling prices for such sales.

An application for ceiling prices under this section must be made as indicated below:

(1) *Items or grades now being produced.* If, prior to the effective date of this regulation, you produced an item or grade of lumber covered by this regulation for which a ceiling price had been determined under the General Ceiling Price Regulation but for which a ceiling price cannot be determined otherwise under this regulation, you must, within 30 days after the effective date of this regulation (or within whatever extended period that may be allowed you after request directed to the OPS, Forest Products Division, Washington 25, D. C.), file an application to establish a ceiling price for such item or grade. You are required to furnish the following information:

(i) As complete a description as possible of the item or grade for which approval of a ceiling price is requested. The description may be made by reference to a standard item or grade with an explanation of item or grade differences.

(ii) The proposed ceiling price, showing whether it is for a sale f. o. b. cars or trucks, f. o. b. on sticks, f. o. b. mill pit, or otherwise.

(iii) Your selling price f. o. b. cars or trucks, f. o. b. on sticks, f. o. b. mill pit, or otherwise, immediately prior to the effective date of this regulation and during the period January 25, 1951 through February 24, 1951.

(iv) For the most comparable item or grade for which a dollars and cents ceiling price is established by this regulation, your selling prices f. o. b. cars or trucks, f. o. b. on sticks, f. o. b. mill pit, or otherwise, immediately prior to the effective date of this regulation and during the period January 25, 1951 through February 24, 1951. Explain the difference between the ceiling price requested and the selling prices of the most comparable item or grade either in terms of established price differentials or by furnishing a detailed analysis of the costs or cost comparisons of manufacturing the respective items or grades.

You may use and collect your ceiling price as established under the General Ceiling Price Regulation, both before and after making an application, until a ceiling price is established in accordance with the provisions of this subdivision.

After receipt of such application, the OPS may approve or disapprove your proposed ceiling price, establish a different ceiling price, or request additional information. If the OPS has not acted upon your application within 30 days of the receipt thereof, your proposed ceiling price shall be deemed approved, subject to non-retroactive disapproval or adjustment by the OPS at a later date.

(2) *Particular order for new items or grades.* When you wish specific approval of a proposed ceiling price for a particular order or inquiry for a new item or grade for which a specific ceiling price is not established by this regulation, you must file an application within 5 days after acceptance of an order. The following information shall be set forth:

(i) As complete a description as possible of the item or grade for which approval of a ceiling price is requested. The description may be made by reference to a standard item or grade with an explanation of item or grade differences.

(ii) The proposed ceiling price, showing whether it is for a sale f. o. b. cars or trucks, f. o. b. on sticks, f. o. b. mill pit, or otherwise.

(iii) Your selling prices, f. o. b. cars or trucks, f. o. b. on sticks, f. o. b. mill pit, or otherwise, immediately prior to the effective date of this regulation and during the period January 25, 1951 through February 24, 1951, of the most comparable item or grade for which a dollars and cents ceiling price is established by this regulation. If you had no such comparable item or grade, furnish the current selling price of such most comparable item or grade produced by your most closely competitive seller. Explain the difference between the ceiling price requested and the selling price or prices of the most comparable item or grade, either in terms of established price differentials or by furnishing a detailed analysis of the costs or cost comparisons of manufacturing the respective items or grades.

(iv) The purchaser's name and points of origin and delivery of shipment.

After the receipt of an application pursuant to this subdivision, the OPS may approve or disapprove your proposed ceiling price, establish a different ceiling price, or request additional information. Pending any such action, you may sell the item or grade covered by your application at your proposed

ceiling price, provided that you agree to refund, and later refund to the purchaser the amount, if any, by which such price exceeds the ceiling price established by OPS. If the OPS has not acted upon your application within 30 days of the receipt thereof, your proposed ceiling price shall be deemed to be approved, subject to non-retroactive disapproval or adjustment by the OPS at a later date.

If the OPS established a ceiling price for you under this subparagraph, by approval or otherwise, the price established shall be your ceiling price on all additional sales of the same item or grade, unless it is revoked or modified by the OPS.

(3) *General approval for new items or grades.* When you wish general approval of a proposed ceiling price or price list which you intend to set up for general use in the future on new items or grades, for which specific ceiling prices are not listed in this regulation, you must file an application and set forth the information required in subparagraph (2) above, except that you need not list a purchaser's name or points of origin and delivery.

Quotations may not be made, orders taken, or shipments commenced until a ceiling price has been approved by the OPS. The proposed ceiling price or price list shall be deemed approved if you have not been notified to the contrary by the OPS within 30 days after the receipt of your application.

(b) *Additional information.* In the event the Director of Price Stabilization requests further information from you, and does not establish ceiling prices within 20 days from the receipt of the additional information, your proposed prices shall be deemed to have been approved, subject to non-retroactive revocation or modification.

(c) *Consistency of prices.* Ceiling prices proposed under this section should be, and ceiling prices established under this section will be, in line with the level of ceiling prices otherwise established by this regulation.

ARTICLE V—RECORDS AND INVOICES

SEC. 5.1 *Records*—(a) *Current records.* On and after the effective date of this regulation, every person who sells and every person who in the regular course of business buys lumber covered by this regulation, shall make and keep for inspection by the Director of Price Stabilization, for a period of two years, accurate records of invoices of each sale or purchase of lumber subject to this regulation. The records must show:

(1) The date of the purchase or sale.

(2) The name and address of the buyer and seller.

(3) The quantity, grade, size and condition of lumber covered by this regulation which is sold or bought.

(4) Prices charged or paid and terms of sale.

(5) All pertinent information which affects the ceiling prices, such as any specification or extra, and whether each purchase or sale is made on an f. o. b. or on a delivered basis; in the case of a sale on a delivered basis, your records must show all the transportation charges, together with the rates applied, and the origin and destination of shipment. Records must also show all premiums, discounts and allowances.

The retention by a buyer of an invoice furnished by a seller, which includes the factual information required to be made a matter of record by this paragraph, shall be considered as compliance with the provisions of this paragraph.

(b) *Existing records.* You shall also continue to preserve, for the applicable periods indicated in section 16 of the General Ceiling Price Regulation, all records which you made and kept under the provisions of section 16 of the General Ceiling Price Regulation.

(c) *Other records.* If you apply for approval of a proposed ceiling price under the provisions of section 4.1 of this regulation, you shall preserve or make and you shall keep for inspection by the Director of Price Stabilization for so long as the Defense Production Act of 1950, as amended, shall remain in effect and for two years thereafter, accurate records from which you obtain the data you submit in connection with your application for such ceiling price.

SEC. 5.2 *Invoices.* On all sales of lumber covered by this regulation, you must submit an invoice to the buyer which shows the quantity, and a description, of the lumber sold. Any working, condition (green or dry), specification, extra, or service which bears upon the price charged for your lumber must be set forth in the invoice, but the invoice need not show separately the charge for such items.

(a) On f. o. b. sales, your invoice must also show the f. o. b. price.

(b) On delivered sales, involving a rail or truck shipment, your invoice must also show:

(1) The price, indicating whether it is an f. o. b. or delivered price;

(2) The point of origin and destination of shipment;

(3) The applicable rail or truck rate; otherwise the amount added for transportation.

ARTICLE VI—MISCELLANEOUS PROVISIONS

SEC. 6.1 *Modification of proposed ceiling prices by the Director of Price Stabilization.* The Director of Price Stabilization may at any time disapprove or reduce ceiling prices reported or proposed under this regulation so as to bring them into line with the level of ceiling prices otherwise established by this regulation.

SEC. 6.2 *Petitions for amendment.* If you wish to have this regulation amended, you may file a petition for amendment in accordance with the provisions of Price Procedural Regulation 1, Revised (16 F. R. 4974).

SEC. 6.3 *Adjustable pricing.* Nothing in this regulation prohibits you from making a contract or offer to sell at (a) the ceiling price in effect at the time of delivery, or (b) the lower of a fixed price or the ceiling price in effect at the time of delivery. You may not, however, deliver or agree to deliver at a price to be adjusted upward in accordance with any increase in ceiling prices after delivery.

SEC. 6.4 *Transfers of business or stock in trade.* If the business, assets or stock in trade of any business are sold or otherwise transferred after the effective date of this regulation, and the transferee carries on the business, or continues to deal in the same products, in an establishment separate from any other establishment previously owned or operated by him, the ceiling prices of the transferee shall be the same as those to which his transferor would have been subject, if no such transfer had taken place, and his obligations to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over to the transferee, all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the provisions of this regulation.

SEC. 6.5 *Excise, sales and similar taxes.* Any person may collect, in addition to the ceiling price established by this regulation, any excise, sales or similar tax imposed upon him by reason of his sale of a product covered by this regulation if he is not prohibited by law from making such collection and if he states separately from his selling price the amount of the tax collected.

SEC. 6.6. *Interpretations.* If you wish an official interpretation of this regulation you should write to the District Counsel of the proper OPS District Office. Any action taken by you in reliance upon, and in conformity with a written official interpretation, will constitute action in good faith pursuant to this regulation. Further information on obtaining official interpretations is contained in Price Procedural Regulation 1, Revised.

SEC. 6.7 *Prohibitions and violations.* (a) You shall not do any act prohibited or omit to do any act required by this regulation, nor shall you offer, solicit, attempt or agree to do or omit to do any such acts. Specifically (but not in limitation of the above) you shall not, regardless of any contract or other obligation, sell and no person in the regular course of trade or business shall buy from you at a price higher than the ceiling price established by this regulation, and you shall keep, make and preserve true and accurate records and reports required by this regulation. Prices lower than the ceiling prices may, of course, be charged and paid.

(b) If you violate any provisions of this regulation, you are subject to criminal penalties, enforcement action, and action for damages.

(c) If any person subject to this regulation fails to prepare or keep any record or file any report required by this regulation in connection with the establishment of his ceiling price, or, if any person subject to this regulation fails to establish a ceiling price or apply to the Office of Price Stabilization for the establishment of a ceiling price, if he is required to do so, the Director of Price Stabilization may issue an order fixing his ceiling prices. Any ceiling price fixed in this manner will be in line with ceiling prices generally established

by this regulation. The order fixing the ceiling price may apply to all deliveries or transfers completed prior to the date of issuance of the order. The issuance of such an order will not relieve the seller of his obligation to comply with the requirements of this regulation or of the various penalties for failure to do so.

SEC. 6.8 *Evasions.* Any means or device which results in obtaining indirectly a higher price than is permitted by this regulation or in concealing or falsely representing information as to which this regulation requires records to be kept is a violation of this regulation. This prohibition includes, but is not limited to, means or devices making use of commissions, services, cross sales, transportation arrangements, premiums, discounts, special privileges, up-grading, tie-in agreements, trade understandings, and breaking up an order or apportioning deliveries in order to get the retail-type sale addition, as well as the omission from records of true data and the inclusion in records of false data.

SEC. 6.9 *Exports.* The ceiling prices for export sales, or sales for export, of lumber covered by this regulation are governed by Ceiling Price Regulation 61 issued by the Office of Price Stabilization.

ARTICLE VII—BASIC CEILING PRICE TABLES AND ESTABLISHED WEIGHTS

SEC. 7.1 *Ceiling prices and established weights for square edge Northeastern white pine.* The ceiling prices f. o. b. cars or trucks at customary loading out point, or f. o. b. on sticks in yard, for Northeastern white pine lumber processed square edge per 1,000 feet board measure are set forth below in Tables 1 and 2. Established weights for this lumber per 1,000 feet board measure are set forth below in Table 3.

TABLE 1.—CEILING PRICES FOR NORTHEASTERN WHITE PINE LUMBER PROCESSED SQUARE EDGE; AIR DRIED 90 DAYS ON STICKS; F. O. B. CARS OR TRUCKS AT CUSTOMARY LOADING OUT POINT

DRESSED S4S, S2S&CM, OR SHIPLAP, RANDOM LENGTHS

Thickness and width (inches)	D Select and Better	Nos. 1 and 2 Common	No. 3 Common	No. 4 Common	No. 5 Common
1 x 3	$188	$128	$92	$75	------
1 x 4	188	128	92	75	------
1 x 5	188	128	92	87	------
1 x 6	223	138	106	92	------
1 x 7	223	133	106	92	------
1 x 8	223	138	108	94	------
1 x 9	223	133	108	94	------
1 x 10	223	138	111	94	------
1 x 11	223	153	111	94	------
1 x 12 or wider	223	153	114	97	------
1 x 4 and wider average 7 to 8	218	133	94	87	------
1 x 5 and wider average 8 to 9	223	134	100	89	------
1 x 6 and wider average 9 or over	228	135	103	92	------
4/4 and thicker, 3 and wider	------	------	------	------	$67

ADDITIONS AND DEDUCTIONS PER M'BM TO CEILING PRICES IN TABLE 1

For condition:

1. Rough dry, f. o. b. cars or trucks: deduct $10.00.
2. Rough green in pit: deduct $19.00.
3. Rough dry, f. o. b. on sticks in yard: deduct $13.00.
4. Rough green, f. o. b. on sticks in yard: deduct $15.00.

For working:

5. S1S or S2S: deduct $2.00.
6. Bead or V-joint 1 side: add $1.00.
7. Bead or V-joint 2 sides: add $1.50.
8. Siding to pattern No. 105 or No. 106: add $5.00.
9. Siding to standard patterns other than No. 105 or No. 106, 4 inches or wider: add $7.00.
10. S2S and resaw 1 cut: add $2.50.
11. S2S and resaw 2 cuts: add $4.50.
12. S4S and resaw 1 cut: add $4.50.
13. S4S and resaw 2 cuts: add $6.50.
14. Resaw rough dry 1 cut: add $6.50 to rough dry ceiling price as calculated in footnote 1 above; and second cut: add additional $2.
15. Bevel resaw: add $7.50.
16. Ripping: add for each cut $3.
17. No addition for double end trimming.

For grade:

18. For No. 1 cuts: deduct $50 from D select and better price.

For thickness:

Add to 4/4 inch price:

	D and Better	Nos. 1 and 2 Common	Nos. 3 and 4 Common
19. 5/4 to 8/4 inch	$15	$10	$5
20. 9/4 inch and thicker	20	15	5

For length:

21. Specified lengths: add $3.
22. No addition for requiring all even lengths in R/L shipment.
23. Short clears, 6 feet and under, 4/4 inch and thicker, price is same as No. 1 cuts.
24. Shorts, 6 feet and under, 4/4 inch and thicker, other than clears, price is same as No. 5 common.

TABLE 2—CEILING PRICES FOR LOG RUN NORTHEASTERN WHITE PINE LUMBER PROCESSED SQUARE EDGE; ROUGH; F. O. B. CARS OR TRUCKS AT CUSTOMARY LOADING OUT POINT

4/4 inch and thicker, air dried, 90 days on sticks	$80

ADDITIONS AND DEDUCTIONS PER M'BM TO CEILING PRICES IN TABLE 2

For condition:

1. Green in pit: deduct $9.
2. Dry on sticks: deduct $3.
3. Green on sticks: deduct $5.

For working: Add to appropriate rough dry or rough green ceiling prices:

4. S1S or S2S: add $8.
5. S2S and resaw 1 cut: add $12.50.
6. Resaw rough 1 cut: add $6.50; for 2nd cuts: add additional $2.

TABLE 3—ESTABLISHED WEIGHTS FOR NORTHEASTERN WHITE PINE LUMBER PROCESSED SQUARE EDGE; PER M'BM; DRY

	Pounds
Rough, square edge	2,500
S1S, S2S	2,000
S4S, S2S & CM or shiplap	1,800

SEC. 7.2 *Ceiling prices and established weight for round edge Northeastern white pine.* The ceiling prices f. o. b. cars at customary loading out point, f. o. b. on sticks in yard, or f. o. b. mill pit, for Northeastern white pine lumber processed round edge, per 1,000 feet board measure, are set forth in Table 4 below.

TABLE 4—CEILING PRICES FOR NORTHEASTERN WHITE PINE LUMBER; PROCESSED ROUND EDGE; ROUGH

	F. o. b. mill pit	F. o. b. on sticks in yard	F. o. b. cars
4/4 inch and thicker, dry	------	$52	$56
4/4 inch and thicker, green	$45	48	52

NOTE 1: The above lumber may be sold at the dry price if it has been on sticks at least 90 days.

NOTE 2: The established weight for dry lumber shown above per M'BM is 3,000 pounds.

NOTE 3: For ceiling prices for round edge white pine butts, application must be made in accordance with Article IV of this regulation.

ARTICLE VIII—DEFINITIONS

SEC. 8.1 *Definitions.* (a) As used in this regulation, the terms which appear in it shall be construed in the following manner unless otherwise clearly required by the context:

(1) *Commission man.* This term is defined in Section 1.4.

(2) *Director of Price Stabilization.* This term extends to any official (including officials of Regional or District Offices) to whom the Director of Price Stabilization, by order, delegates a function, power, or authority referred to in this regulation.

(3) *Established weights.* This term means the weights per 1,000 feet board measure as set forth in Article VII of this regulation.

(4) *F. o. b. cars.* This term means loaded at the seller's expense on railroad cars at the customary loading out point of the seller.

(5) *F. o. b. mill pit.* This term means loaded at the seller's expense on buyer's truck or other conveyance at the end of the seller's mill pit.

(6) *F. o. b. on sticks in yard.* This term refers to lumber piled on sticks in the seller's yard from which point the buyer takes delivery.

(7) *F. o. b. trucks.* This term means loaded at the seller's expense on the truck of the seller or of a common or contract carrier at the seller's customary loading out point, such as, at the mill site or at the nearest point to the mill site where the carrier sends a truck.

(8) *Manufacturer, saw mill, planing mill, concentration yard.* These terms are defined in section 1.4 of this regulation. Note particularly that the term "mill" as used in this regulation, includes saw mills, planing mills and concentration yards.

(9) *M. b. m.* This abbreviation refers to 1,000 feet board measure of lumber.

(10) *Most closely competitive seller.* This term means the seller of lumber covered by this regulation, selling the item for which you are determining a ceiling price, with whom you are in most direct competition on sales of most items.

(11) *Most comparable item or grade.* This term means the item or grade of lumber covered by this regulation most nearly like an item or grade for which an application is filed under Article IV of this regulation. That item or grade is the closest one of a group of related items or grades which are normally classed together for pricing purposes, even though they may differ in respect to size or name.

(12) *Person.* This term includes any individual, corporation, partnership, association, or any other organized group of persons, or the legal successor or representative of the foregoing, and the United States and any other government or their political subdivisions or agencies.

(13) *Records.* This term includes books of account, sales lists, sales slips, orders, vouchers, contracts, receipts, in-

voices, bills of lading, settlement sheets, and other papers or documents.

(14) *Retail-type sale.* This term is defined in section 2.4.

(15) *Round edge.* This term refers to round edge lumber covered by this regulation which is sawn or processed from logs by sawing two sides without sawing or otherwise processing the edges in the manner peculiar to the New England region.

(16) *Sell.* This term includes sell, dispose, supply, barter, trade, lease, exchange, transfer, deliver, and contracts and offers to do any of the foregoing. The terms "buy" and "purchase" shall be construed accordingly.

(17) *Square edge.* This term refers to square edge lumber covered by this regulation which is sawn or processed on four sides.

(18) *Surfaced, dressed or worked.* These terms refer to lumber when planed to a smooth finish and generally surfaced to a specified thickness. The process of producing surfaced or dressed lumber is known as "surfacing," "dressing," or "planing." Abbreviations used in this regulation are S1S, S2S, and S'S meaning, respectively, "surfaced" on 1, 2 and 4 sides.

(19) *You.* The pronoun "you" indicates any person who manufactures lumber subject to this regulation. "Your" and "yours" are construed accordingly.

Effective date. This regulation shall become effective April 29, 1952.

NOTE: The reporting and record keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

ELLIS ARNALL,
Director of Price Stabilization.

APRIL 24, 1952.

[F. R. Doc. 52-4771; Filed, Apr. 24, 1952; 4:00 p. m.]

[General Overriding Regulation 4, Revision 1]

GOR 4—EXEMPTIONS AND SUSPENSIONS OF CERTAIN CONSUMER SOFT GOODS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Revision 1 of General Overriding Regulation 4 is hereby issued.

STATEMENT OF CONSIDERATIONS

The original General Overriding Regulation 4 was an across-the-board regulation designed to exempt certain commodities from any ceiling price regulation because they are of minor significance to the cost of living, the cost of the defense effort or general current industrial costs, and have no effect upon the price ceilings of other commodities which are important to such costs, and because retaining them under price control would have involved an administrative and enforcement burden out of all proportion to their importance.

As issued GOR 4 applied to certain untanned skins of sheep or lambs. Amendments 1, 2 and 3 added certain Indian and Eskimo handicraft objects, certain feathers, and kenaf fiber, respectively, to the exempt list. A more detailed recital of the reasons for exempting these particular commodities will be found in the Statements of Considerations accompanying the former regulation and its amendments.

These exemptions and the original purpose are continued in section 2 of this revised GOR 4. In addition, section 3 thereof is an across-the-board provision suspending the application of all ceiling price regulations to sales of certain commodities. This action is taken in line with the policy of suspending or otherwise relaxing price controls on commodities whose selling prices are substantially below ceilings and are not expected to reach ceiling prices in the foreseeable future.

Accordingly, the application of any ceiling price regulation heretofore or hereafter issued is hereby suspended with respect to sales of domestic and imported raw and processed wool waste materials, and sales of burlap. However, sales of these commodities made in the territories and possessions of the United States, namely, Alaska, Guam, Hawaii, Puerto Rico, and the Virgin Islands, are excepted from the suspension and remain subject to all applicable ceiling price regulations.

This revised GOR 4 also provides that persons who were required by any regulation heretofore issued to keep, prepare, or preserve any record concerning the commodities included in the aforesaid suspension, must retain and make available for examination by the Office of Price Stabilization, in the manner and for the period set forth in said regulation, all such records which they were required to have on hand as of the effective date of this revision. The purpose of this provision is to protect existing records relating to these commodities and continue the applicable records-keeping requirements insofar as existing records are concerned. After the effective date of this revised regulation the making or collection of additional records relating to these commodities is not required.

In the judgment of the Director, price controls on wool waste and burlap are not required at this time in order to carry out the purposes of the Defense Production Act of 1950, as amended. The Director may at any time terminate or modify this suspension if he determines that such action is necessary in the interest of the stabilization program. In any event, the suspension for wool waste will be terminated if the price of a wool futures contract for the nearby month, as published by the Wool Associates of the New York Cotton Exchange, reaches $2.36; and that for burlap will be terminated if the price of 40 inch, 10 ounce burlap rises to 24 cents per yard (landed U. S. A., ex dock port of discharge, duty paid) and/or the price of 40 inch, 7½ ounce burlap rises to 18 cents per yard (landed U. S. A., ex dock port of discharge, duty paid).

There is being issued, simultaneously with the issuance of this revised GOR 4, a suspension amendment to Ceiling Price Regulation 40—Burlap. However, some constructions of burlap are not covered by CPR 40 and are subject to Ceiling Price Regulation 31—Imports. Similarly, wool waste has been covered by the General Ceiling Price Regulation, and although a tailored wool waste regulation is also being issued it will not be made effective until the suspension of wool waste is terminated. Accordingly, it is necessary to suspend these commodities generally by means of this revised general overriding regulation. Where tailored regulations completely cover the commodities to be suspended suspension action is being accomplished by amendment to those regulations. Untanned domestic bovine cattle hides, kips and calfskins, for example, are being suspended from price control at this time by an amendment to Ceiling Price Regulation 2, Revision 2, which covers all sales of those commodities.

The considerations underlying the suspension of controls, as well as those underlying the selection of the reimposition point for wool waste and for burlap are explained in the Statements of Considerations to CPR 141 and to Amendment 1 to CPR 40, respectively.

In the formulation of this revised regulation there has been consultation with industry representatives, including trade association representatives, to the extent practicable, and consideration has been given to their recommendations.

REGULATORY PROVISIONS

Sec.
1. What this revised regulation does.
2. Exemptions.
3. Suspensions.

AUTHORITY: Sections 1 to 3 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101–2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *What this revised regulation does.* Section 2 of this revised regulation exempts all sales of the commodities listed therein from any ceiling price regulation. Section 3 of this revised regulation suspends the application of any ceiling price regulation to sales of the commodities listed in that section.

SEC. 2. *Exemptions.* No ceiling price regulation heretofore or hereafter issued by the Office of Price Stabilization shall apply to sales of the following commodities.

(a) Untanned skins of sheep or lambs, whether domestic or foreign, with the wool still on, not including shearlings with up to one inch of wool.

(b) Indian and Eskimo handicraft objects produced by the manual skill of American Indians, Alaskan Indians or Eskimos.

(c) Raw and unprocessed landfowl feathers and fiber, and raw and unprocessed new, and unprocessed secondhand, waterfowl feathers.

(d) Kenaf fiber.

SEC. 3. *Suspensions.* The application of any ceiling price regulation heretofore or hereafter issued to sales of the commodities listed below shall be suspended until further notice by the Director of Price Stabilization, provided, however, that persons who were required by any regulation heretofore issued to keep, pre-

pare, or preserve any record concerning these commodities, shall continue to preserve and make available for examination by the Office of Price Stabilization, in the manner and for the period set forth in said regulation, all such records which they were required to have on April 27, 1952, or, in the case of commodities added to this section by subsequent amendment, which they were required to have on the effective date of any such amendment.

(a) Domestic and imported raw and processed wool waste materials containing 25 percent or more of wool by fiber weight, except sales made in the territories and possessions of the United States.

(b) Burlap, except sales made in the territories and possessions of the United States.

Effective date. This revised regulation shall take effect on April 28, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

APRIL 25, 1952.

[F. R. Doc. 52-4800; Filed, Apr. 25, 1952; 10:35 a. m.]

[Ceiling Price Regulation 141]

CPR 141—CEILING PRICES FOR RAW WOOL WASTE MATERIALS

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82nd Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Ceiling Price Regulation 141 is hereby issued.

STATEMENT OF CONSIDERATIONS

This regulation establishes dollars-and-cents ceiling prices for sales of certain domestic and imported raw wool waste materials, containing 25 percent or more of wool by fibre weight and which have been sorted free of foreign matter and classified. As to these waste materials, it supersedes the General Ceiling Price Regulation. Ceiling prices for unsorted waste materials will continue to be established under the General Ceiling Price Regulation. Processed waste materials also remain subject to the provisions of the General Ceiling Price Regulation, pending further action by this Office.

Raw wool waste materials, a highly important source of raw materials to woolen mills, are substitutes for virgin wool. They may be divided into three broad classifications: mill waste, clips or clippings, and rags. They are utilized mostly by the woolen branch of the industry and are used in the manufacture of wool yarns, fabrics and other products, usually in blends with virgin wool, cotton, rayon and synthetic fibres. When so used, clips are known as reprocessed wool as defined by the Wool Products Labelling Act, whereas rags are called reused wool. Raw wool waste materials are also used to a lesser extent in the manufacture of industrial products.

Mill waste comes from both the worsted and woolen branches of the industry as a by-product of the various stages of the manufacture of wool yarns and fabrics. Mill waste is generally sold by the producing mill or scourer to a wool waste dealer who accumulates, sorts and grades it. The dealer sometimes processes the waste or has it processed on a custom basis. He may sell to a processor or to another dealer, but usually his customer is the woolen manufacturer.

Wool clips or clippings, sometimes known as cutters, originate in garment manufacturing houses. They consist principally of pieces and scraps resulting from the cutting operations in the manufacture of men's, women's and children's clothing and other commodities made from woolen fabrics. Wool clips are baled or bagged, generally, in a mixed state by the large clothing manufacturers and sold, unsorted, to a dealer who puts the lots of clips through their various sorting stages. Occasionally the large producer undertakes the sorting himself. The small manufacturing and tailoring establishments usually sell to collectors who bag the clips in a mixed state on the premises and sell them to a dealer, who in turn sorts the mixed clips into approximately twenty general classifications and sells them to a grader. The latter then sorts the clips according to type, grade, quality, color and wool content and sells them to a wholesaler, a processor, or directly to a woolen mill.

Wool rags are not by-products of manufacturing, but are salvaged by collectors and junk dealers. They are usually sold in a mixed state to local junk dealers. These dealers separate the wool, cotton, silk and rayon rags and sell to a larger dealer who sorts the wool rags into various classifications of mixed rags. This dealer in turn sells to a grader who further sorts the rags into classifications according to grade, color, and wool content. He then sells to a wholesaler, processor or directly to a consuming mill. Dealers and graders skirt, seam and trim the rags when it is necessary.

Raw wool waste materials are subjected to various processing operations to reduce them to a fibrous state so that they may be used in woolen manufacture. Sometimes this processing is accomplished by the consuming mill; more often the mill purchases processed waste from a processor.

The prices of raw wool waste materials, as substitutes for and supplements to virgin wool in woolen manufacturing, have a tendency to parallel the prices of raw wool. By the middle of 1950, the very large stocks of wool accumulated during World War II were virtually exhausted, wool consumption having for several years exceeded production by 15 to 20 percent. This situation, accentuated by the large increase in the need for wool by the military forces after the outbreak of hostilities in Korea, resulted in an acute world wool shortage. This shortage and the resultant rapid price rise to unprecedented levels continued through the first quarter of 1951. Beginning in the third quarter and continuing through the balance of 1951, prices declined sharply, due to the heavy accumulation of stocks of finished goods and the reduced consumer demand. These drastic price changes were reflected alike in the price levels of raw wool and wool waste materials.

CPR 35, Rev. 1, effective April 8, 1952, establishes ceiling prices for wool and related fibres at the minimum level permissible under the Defense Production Act of 1950, as amended. This regulation brings the ceiling prices for raw wool waste materials into line with the wool ceilings. In arriving at the ceiling prices herein established, it was recognized that no exact price relationships exist between mill waste, clips and rags, or between any of these waste materials and one or more grades of wool. With the help of the industry, however, the Agency has been able to establish sufficiently adequate relationships to arrive at realistic ceiling prices generally in line with the level of ceiling prices established for wool in Ceiling Price Regulation 35, Revision 1, maintaining appropriate differentials between the various types and grades.

This regulation provides an option for sellers of waste containing 15 percent or more of certain specified synthetic fibres to establish ceiling prices for that waste under this regulation or under the General Ceiling Price Regulation. This option was provided as a result of consultation with members of the industry, indicating that ceiling prices established for wool waste containing a substantial balance of cotton or rayon may not be appropriate for waste with the same percentage of wool and a balance of the more costly synthetic fibres. Further study of synthetic fibres will be necessary before definitive ceiling prices can be issued for waste containing substantial quantities of these synthetic fibres.

Dollars-and-cents ceiling prices for F. O. B. sales of numerous listed classifications of waste are set forth in Schedules I through IV of Appendix A of this regulation. The ceiling price for an unlisted classification of waste is the price listed in Appendix A for the classification most nearly like it.

Specified premiums may be added to the scheduled prices when, at the request of the purchaser and to meet his specifications, clips are sorted for fineness or for absence of decoration or are blended. Premiums may also be added for cutting paper makers' felts to size at the request of the purchaser and to meet his specifications and for trimming rags.

When mill waste is sold through a broker, the actual amount of the commission paid to the broker may be added to the price listed in Schedule I of Appendix A, provided the ceiling price arrived at does not exceed the price listed in Schedule I plus 1 percent thereof.

In the judgment of the Director of Price Stabilization this regulation is generally fair and equitable. It is being issued at this time to acquaint the industry with the level of ceiling prices established. Since, however, regulations establishing ceiling prices for wool are being suspended, this regulation will not become effective until such time as the Director of Price Stabilization shall determine it is necessary or, in any event,

when the suspension of CPR 35, Rev. 1, is terminated.

In the formulation of the provisions of this regulation establishing ceiling prices there has been both formal and informal consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

REGULATORY PROVISIONS

Sec.

AUTHORITY: Sections 1 to 12 issued under sec. 704, 64 Stat. 816 as amended; 50 U. S. C. App. Sup., 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup., 2101–2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *What this regulation does.* This regulation fixes dollars-and-cents ceiling prices for sales of certain domestic and imported raw wool waste materials containing 25 percent or more of wool by fibre weight. It applies in the 48 states and the District of Columbia.

SEC. 2. *Ceiling price provisions*—(a) *Listed classifications.* On and after the effective date of this regulation your ceiling price for a listed classification of raw wool waste materials containing 25 percent or more of wool by fibre weight is the price set forth in Schedules I through IV of Appendix A of this regulation. If you sell raw wool waste materials containing 15 percent or more of certain synthetic fibres (see definition, section 12 of this regulation) by fibre weight you may elect to use this regulation or you may continue to determine your ceiling price under the provisions of the General Ceiling Price Regulation.

The prices listed in Schedules I through IV of Appendix A are in terms of net weight if you are establishing a ceiling price for mill waste or knitted wool clips and of gross weight, tare not to exceed 5 percent, if you are establishing a ceiling price for raw wool waste materials other than mill waste or knitted wool clips. The prices in Schedules I through IV of Appendix A are f. o. b. shipping point and include all costs and charges except the transportation charges permitted by section 3, the premiums allowed by section 4 and the brokerage charges allowed by section 5.

(b) *Unlisted classification.* Your ceiling price for a classification of raw wool waste materials not listed in Schedules I through IV of Appendix A of this regulation shall be the price listed for the type and grade (including color and percentage of wool content) most nearly like the waste for which you wish to establish a ceiling price.

SEC. 3. *Transportation charges.* You may sell raw wool waste materials at prices which include the charges for transporting the waste from your shipping point to the buyer's receiving point. In such case, the transportation charges must not exceed the lowest published rates for the size of the shipment and the type of carrier used, or, if delivery is made in the seller's conveyance, the transportation charges shall not exceed the charges which would be applicable on an identical shipment from the same shipping point at the lowest available commercial transportation rate. The transportation charges must be shown as a separate item on the invoice or other document delivered to the buyer, and the price f. o. b. shipping point, obtained by subtracting the transportation charges from the total delivered price, must not exceed the ceiling price established by this regulation.

SEC. 4. *Allowable premiums*—(a) *Clips sorted for fineness or to exclude decorations.* If you sell new clips listed in Schedules II and III of Appendix A, sorted for fineness or to exclude decorations at the request of the purchaser and to meet his specifications, or both, you may add 10 cents per pound to the applicable ceiling price in Schedules II and III of Appendix A.

(b) *Blended clips.* If you sell new clips listed in Schedules II and III of Appendix A, blended at the request of the purchaser and to meet his specifications, you may add 5 cents per pound to the applicable ceiling prices in Schedules II and III for each classification of waste used in the blend.

(c) *Trimmed rags.* If you sell graded old rags listed in Schedule IV of Appendix A, which have been trimmed, you determine your ceiling price by selecting the price for that classification from Schedule IV of Appendix A, dividing this price by 90 percent and adding 5 cents per pound. The result is your ceiling price per pound.

(d) *Cut paper makers' felts.* If you sell paper makers' felts listed in Schedule IV of Appendix A, cut to size at the request of the purchaser and to meet his specifications, you may add 4 cents per pound to the applicable ceiling price in Schedule IV of Appendix A.

SEC. 5. *Brokerage.* (a) If you sell mill waste through a broker or agent, your ceiling price for that sale is the price for that mill waste set forth in Schedule I of Appendix A of this regulation, plus the actual amount of the commission paid to the broker or agent for that sale, provided that a ceiling price so determined may not exceed the price listed in Schedule I plus 1 percent thereof.

(b) The price in Schedule I may be increased by the commission paid to the broker or agent only if the commission is shown as a separate charge on the invoice or other similar document.

SEC. 6. *Petitions for amendment.* If you wish to have this regulation amended, you may file a petition for amendment in accordance with the provisions of Price Procedural Regulation 1, Revised (16 F. R. 4974).

SEC. 7. *Terms of sale.* The ceiling prices established by this regulation may not be increased as a result of the extension of credit.

SEC. 8. *Records.* (a) You must keep and make available for examination by the Office of Price Stabilization for a period of two years:

A record of every purchase, sale or exchange of commodities covered by this regulation, including the names and addresses of the persons involved, the date of the purchase or sale or exchange, the price, the quality and the grade, type and other identifying characteristics of the commodity so purchased, sold or exchanged.

(b) With respect to any classification of raw wool waste materials covered by this regulation, the provisions of section 16 of the General Ceiling Price Regulation are hereby continued in effect insofar as they apply to the preparation and preservation of "base period records" and such "current records" as have been made as a result of sales between January 26, 1951, and the effective date of this regulation.[1]

SEC. 9. *Interpretations.* If you want an official interpretation of this regulation, you should write to the District Counsel of the proper OPS District Office. Any action taken by you in reliance upon and in conformity with a written official interpretation will con-

[1] The portions of the General Ceiling Price Regulation here referred to, applicable to sellers of raw wool waste materials, are as follows:

SEC. 16. * * * (a) *Base period records.* (1) You must preserve and keep available for examination by the Director of Price Stabilization those records in your possession showing the prices charged by you for the commodities or services which you delivered or offered to deliver during the base period, and also sufficient records to establish the latest net cost incurred by you prior to the end of the base period in purchasing the commodities (if you are a wholesaler or retailer).

(2) In addition, on or before March 22, 1951, you must prepare and preserve a statement showing the categories of commodities in which you made deliveries and offers for delivery during the base period. * * *

(3) On or before March 22, 1951, you must also prepare and preserve a ceiling price list, showing the commodities in each category (listing each model, type, style, and kind), or the services, delivered or offered for delivery by you during the base period together with a description or identification of each such commodity or service and a statement of the ceiling price. Your ceiling price list may refer to an attached price list or catalogue. * * *

(4) You must also prepare and preserve a statement of your customary price differentials for terms and conditions of sale and classes of purchasers, which you had in effect during the base period. * * *

(b) *Current records.* If you sell commodities or services covered by this regulation you must prepare and keep available for examination by the Director of Price Stabilization for a period of two years, records of the kind which you customarily keep showing the prices which you charge for the commodities or services. In addition, you must prepare and preserve records indicating clearly the basis upon which you have determined the ceiling price for any commodities or services not delivered by you or offered for delivery during the base period. * * *

"Base period" as used in section 16 of the General Ceiling Price Regulation means December 19, 1950 through January 25, 1951.

stitute action in good faith pursuant to this regulation. Further information on obtaining official interpretations is contained in Price Procedural Regulation 1.

SEC. 10. *Prohibitions and violations.* (a) You shall not do any act prohibited or omit to do any act required by this regulation, nor shall you offer, solicit, attempt, or agree to do or omit to do any such acts. Specifically (but not in limitation of the above), you shall not, regardless of any contract or other obligation, sell, and no person in the regular course of trade or business shall buy from you at a price higher than the ceiling price established by this regulation, and you shall make and preserve true and accurate records, required by this regulation.

(b) If you violate any provisions of this regulation, you are subject to criminal penalties, enforcement action, and action for damages.

(c) If any person subject to this regulation fails to prepare or keep any record required by this regulation in connection with the establishment of his ceiling price, or if any person subject to this regulation fails to establish a ceiling price or apply to the Office of Price Stabilization for the establishment of a ceiling price, if he is required to do so, the Director of Price Stabilization may issue an order fixing his ceiling prices. Any ceiling price fixed in this manner will be in line with ceiling prices generally established by this regulation. The order fixing the ceiling price may apply to all deliveries or transfers completed prior to the date of issuance of the order. The issuance of such an order will not relieve the seller of his obligation to comply with the requirements of this regulation or of the various penalties for failure to do so.

SEC. 11. *Evasions.* Any means or device which results in obtaining indirectly a higher price than is permitted by this regulation or in concealing or falsely representing information as to which this regulation requires records to be kept is a violation of this regulation. This prohibition includes, but is not limited to, means or devices making use of commissions, services, cross sales, transportation arrangements, premiums, discounts, special privileges, up-grading, tie-in agreements and trade understandings, as well as the omission from records of true data and the inclusion in records of false data.

SEC. 12. *Definitions*—(a) *Raw wool waste materials* means the classifications of raw wool waste materials listed in Schedules I through IV of Appendix A of this regulation, and all related classifications of raw wool waste materials containing 25 percent or more of wool by fibre weight. The term includes both domestic and imported waste.

(b) *Mill waste* means the classifications of raw wool waste materials listed in Schedule I of Appendix A of this regulation, regardless of the system of manufacture from which it resulted, and all related classifications of mill waste, but not including raw wool waste materials listed in Schedules II through IV and related classifications.

(c) *Waste* means raw wool waste materials.

(d) *Synthetic fibres* means only the following: nylon, vinylidene chloride, polyethylene, acrylic fibres, polyester fibres, vinyl resins and azlon.

(e) *Shipping point* means the point from which you ship the waste to the buyer.

(f) *Classification* refers to raw wool waste materials which have been sorted free of foreign matter and to a type and grade.

(g) *Records* means books or accounts, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading, and other papers and documents.

(h) *Person* means an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representatives of any of the foregoing, and includes the United States or any other government and their political subdivisions or agencies.

(i) *Sell* includes sell, supply, dispose, barter, exchange, lease, transfer and deliver and contracts and offers to do any of the foregoing. The terms "sale," "selling," "sold," "seller," "buy," "purchase," and "purchaser," shall be construed accordingly.

(j) *You.* The pronoun "you" as used in this regulation indicates the person subject to the regulation.

(k) *Trade terms.* All other trade terms used in this regulation have the meanings generally accepted in the trade, unless excluded by the context or otherwise indicated by special definition.

Effective date. This regulation shall not become effective until further action by the Director of Price Stabilization.

NOTE: The record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

ELLIS ARNALL,
Director of Price Stabilization.

APRIL 25, 1952.

APPENDIX A—SCHEDULE I—CEILING PRICES FOR MILL WASTE

[In dollars and cents per pound, f. o. b. shipping point, net weight]

Classification	Percentage of wool content				
	100 percent as defined by Wool Labeling Act	95 to 99 percent	85 to 94 percent	60 to 84 percent	25 to 59 percent
DRAWING LAPS					
Fine and ½ blood:					
White	$2.43	$2.27	$2.15	$1.78	$1.07
Light	2.07	1.93	1.83	1.51	.90
Straight colored	1.87	1.74	1.65	1.37	.84
Mixed colors	1.72	1.59	1.51	1.26	.78
⅜ blood:					
White	1.90	1.77	1.67	1.39	.84
Light	1.72	1.59	1.51	1.25	.75
Straight colored	1.52	1.40	1.33	1.10	.67
Mixed colors	1.37	1.26	1.19	.98	.60
¼ blood:					
White	1.68	1.55	1.47	1.22	.74
Mixed colors	1.17	1.08	1.01	.84	.52
44s and below:					
White	1.30	1.19	1.13	.90	.57
Mixed colors	.94	.84	.80	.66	.42
SPINNING AND ROVING LAPS					
Fine and ½ blood:					
White	2.23	2.08	1.97	1.63	.98
Light	1.95	1.82	1.72	1.43	.85
Straight colored	1.72	1.59	1.51	1.25	.75
Mixed colors	1.48	1.37	1.30	1.07	.65
⅜ blood:					
White	1.80	1.67	1.59	1.31	.79
Light	1.60	1.48	1.40	1.16	.70
Straight colored	1.40	1.29	1.22	1.01	.62
Mixed colors	1.25	1.15	1.08	.90	.55
¼ blood:					
White	1.56	1.44	1.37	1.13	.68
Mixed colors	1.01	.93	.86	.72	.45
44's and below:					
White	1.17	1.08	1.01	.83	.52
Mixed colors	.81	.74	.70	.58	.37
RINGS (FRENCH SYSTEM)					
Fine:					
White	2.00	1.86	1.76	1.46	.88
Light	1.68	1.55	1.47	1.22	.74
Straight colored	1.56	1.44	1.37	1.13	.68
Mixed colors	1.38	1.28	1.21	1.00	.60
Medium:					
White	1.68	1.55	1.47	1.22	.74
Light	1.48	1.37	1.29	1.08	.65
Straight colored	1.33	1.22	1.15	.96	.58
Mixed colors	1.13	1.04	.98	.80	.51
MOHAIR LAPS: DRAWING, SPINNING, ROVING					
Fine:					
White	1.64	1.51	1.43	1.19	.71
Mixed colors	1.18	1.08	1.01	.84	.52
Medium:					
White	1.26	1.17	1.09	.89	.55
Mixed colors	1.09	1.00	.92	.78	.48
Coarse:					
White	1.13	1.04	.98	.80	.51
Mixed colors	.87	.80	.76	.63	.40

APPENDIX A—SCHEDULE I—CEILING PRICES FOR MILL WASTE—Continued

Classification	Percentage of wool content				
	100 percent as defined by Wool Labeling Act	95 to 99 percent	85 to 94 percent	60 to 84 percent	25 to 59 percent
WORSTED SPINNING THREADS					
Fine and ½ blood:					
White	$1.84	$1.70	$1.61	$1.33	$0.81
Light	1.23	1.13	1.06	.87	.50
Straight colored	1.08	.97	.90	.74	.46
Mixed colors	.92	.84	.79	.65	.41
⅜ blood:					
White	1.55	1.44	1.35	1.12	.68
Light	1.06	.98	.90	.76	.47
Straight colored	.91	.82	.76	.61	.40
Mixed colors	.76	.68	.64	.52	.34
¼ blood:					
White	1.31	1.21	1.13	.95	.57
Light	.85	.78	.74	.61	.40
Straight colored	.83	.74	.69	.57	.36
Mixed colors	.67	.60	.57	.46	.30
44s and below:					
White	1.10	1.01	.96	.78	.50
Light	.81	.74	.69	.58	.37
Straight colored	.74	.65	.60	.48	.34
Mixed colors	.58	.51	.48	.40	.28
WORSTED SOFT KNITTING THREAD					
Fine and ½ blood:					
White	1.89	1.74	1.64	1.35	.82
Light	1.25	1.16	1.08	.89	.50
Straight colored	1.08	.97	.90	.74	.46
Mixed colors	.92	.84	.79	.65	.41
⅜ blood:					
White	1.59	1.47	1.37	1.13	.68
Light	1.08	1.00	.90	.76	.47
Straight colored	.91	.82	.76	.61	.40
Mixed colors	.76	.68	.64	.52	.34
¼ blood:					
White	1.33	1.23	1.14	.95	.57
Light	.86	.78	.74	.61	.40
Straight colored	.83	.74	.69	.57	.36
Mixed colors	.67	.60	.57	.46	.30
44s and below:					
White	1.10	1.01	.96	.78	.50
Light	.81	.74	.69	.58	.37
Straight colored	.74	.65	.60	.48	.34
Mixed colors	.58	.51	.48	.40	.28
MOHAIR SPINNING OR WEAVING THREADS					
Fine:					
White	1.25	1.15	1.08	.90	.55
Mixed colors	.62	.56	.53	.44	.30
Medium:					
White	1.13	1.04	.98	.80	.51
Mixed colors	.47	.41	.39	.32	.23
Coarse:					
White	.98	.88	.83	.69	.44
Mixed colors	.44	.38	.36	.30	.21
MOHAIR SOFT KNITTING THREADS					
Fine:					
White	1.25	1.15	1.08	.90	.55
Mixed colors	.66	.59	.56	.47	.31
Medium:					
White	1.13	1.04	.98	.80	.51
Mixed colors	.51	.45	.43	.35	.24
Coarse:					
White	1.01	.93	.86	.72	.45
Mixed colors	.47	.41	.39	.32	.23

APPENDIX A—SCHEDULE I—CEILING PRICES FOR MILL WASTE—Continued

Classification	Percentage of wool content				
	100 percent as defined by Wool Labeling Act	95 to 99 percent	85 to 94 percent	60 to 84 percent	25 to 59 percent
SPINNERS BRUSH AND SWEEPS					
Fine:					
White	$0.74	$0.66	$0.63	$0.52	$0.34
Mixed colors	.55	.49	.46	.38	.26
Medium:					
White	.62	.56	.53	.44	.30
Mixed colors	.51	.45	.43	.35	.24
Coarse:					
White	.55	.49	.46	.38	.26
Mixed colors	.40	.35	.32	.27	.19
WORSTED WEAVING THREADS					
Fine and ½ blood:					
White	1.64	1.52	1.44	1.19	.73
Light	.94	.84	.80	.66	.42
Straight colored	.90	.80	.77	.63	.41
Mixed colors	.76	.68	.65	.53	.33
⅜ blood:					
White	1.40	1.29	1.22	1.01	.62
Light	.90	.80	.77	.63	.41
Straight colored	.80	.70	.65	.52	.34
Mixed colors	.65	.58	.54	.45	.29
¼ blood:					
White	1.13	1.04	.98	.80	.51
Light	.83	.74	.70	.57	.39
Straight colored	.75	.68	.64	.52	.34
Mixed colors	.60	.53	.50	.41	.26
44s and below:					
White	.98	.88	.83	.69	.44
Light	.74	.66	.63	.52	.34
Straight colored	.66	.60	.57	.44	.30
Mixed colors	.51	.45	.43	.35	.24
WEAVERS SWEEPS					
Fine:					
White	.14	.13	.13	.11	.08
Mixed colors	.11	.11	.11	.09	.05
Medium:					
White	.11	.11	.11	.09	.05
Mixed colors	.11	.11	.11	.09	.05
Coarse:					
White	.11	.11	.11	.09	.05
Mixed colors	.08	.08	.07	.06	.03
WOOLEN ROVINGS					
Fine:					
White	1.30	1.19	1.13	.93	.57
Straight colored	.81	.74	.70	.58	.37
Mixed colors	.70	.63	.59	.50	.33
Medium:					
White	1.13	1.04	.98	.80	.51
Straight colored	.74	.66	.63	.52	.34
Mixed colors	.66	.59	.56	.47	.31
Coarse:					
White	1.05	.96	.91	.74	.50
Straight colored	.70	.63	.59	.50	.33
Mixed colors	.62	.56	.53	.44	.30
WOOLEN THREADS					
Fine:					
White	1.20	1.10	1.04	.86	.53
Straight colored	.66	.59	.56	.47	.31
Mixed colors	.60	.52	.50	.41	.27
Medium:					
White	1.09	1.00	.94	.77	.48
Straight colored	.62	.56	.53	.44	.30
Mixed colors	.51	.45	.43	.35	.24
Coarse:					
White	.94	.84	.80	.66	.42
Straight colored	.60	.52	.50	.41	.27
Mixed colors	.47	.41	.39	.32	.23

APPENDIX A—SCHEDULE I—CEILING PRICES FOR MILL WASTE—Continued

Classification	Percentage of wool content				
	100 percent as defined by Wool Labeling Act	95 to 99 percent	85 to 94 percent	60 to 84 percent	25 to 59 percent
WOOLEN DUSTED CARD WASTE					
Fine:					
White	$0.64	$0.57	$0.54	$0.44	$0.29
Straight colored	.47	.41	.39	.32	.23
Mixed colors	.44	.38	.36	.30	.21
Medium:					
White	.55	.49	.46	.38	.26
Straight colored	.51	.45	.44	.36	.24
Mixed colors	.45	.37	.36	.29	.20
Coarse:					
White	.51	.45	.43	.35	.24
Straight colored	.39	.32	.31	.25	.18
Mixed colors	.35	.28	.27	.21	.15
WOOLEN STRIPS					
Fine:					
White	.32	.26	.25	.20	.14
Mixed colors	.20	.19	.18	.16	.09
Medium:					
White	.26	.20	.20	.15	.12
Mixed colors	.20	.19	.18	.14	.09
Coarse:					
White	.25	.20	.18	.15	.11
Mixed colors	.15	.14	.14	.11	.07
NAPPER FLOCKS					
Wool:					
White	.30	.24	.23	.19	.13
Mixed colors	.15	.14	.13	.12	.09
Blanket:					
White	.59	.52	.50	.41	.27
Light	.51	.45	.43	.35	.24
Straight colored	.40	.35	.32	.27	.19
Mixed colors	.32	.27	.26	.21	.15
DUSTED WORSTED CARD OR STRIPS					
Fine: White	1.17	1.08	1.01	.83	.52
Medium: White	1.09	1.00	.94	.77	.48
Coarse: White	.98	.88	.84	.69	.44
CARBONIZED, DUSTED, NEUTRALIZED WORSTED CARD OR STRIPS					
Fine: White	1.68				
Medium: White	1.48				
Coarse: White	1.37				
CARBONIZED, DUSTED, NEUTRALIZED BURRS AND BURRED BURRS					
Fine: White	1.40				
Medium: White	1.25				
Coarse: White	1.12				
DOFFER WASTE					
Fine: White	.32	.27	.25	.21	.15
Medium: White	.28	.23	.22	.18	.14
CARPET WASTE					
Axminster threads	.98	.88	.83	.69	.44
Axminster threads hard twist	.70	.63	.59	.50	.33
Axminster threads short threads	.46	.40	.38	.32	.22
Dusted fly solid color	.77	.70	.65	.55	.35
DUSTED CARD WASTE					
Light colored	.40	.33	.31	.25	.17
Dark colored	.36	.29	.27	.22	.15

APPENDIX A—SCHEDULE I—CEILING PRICES FOR MILL WASTE—Continued

Classification	Percentage of wool content				
	100 percent as defined by Wool Labeling Act	95 to 99 percent	85 to 94 percent	60 to 84 percent	25 to 59 percent
SCOURING MILL WASTE					
Sorted—free of noils or waste, scoured, dusted:					
No. 1 white	$1.87				
No. 2 white	1.64				
No. 1 grey, white, colored, or stained	1.68				
No. 2 grey, colored, or stained	1.44				
No. 3 grey, black, colored, or stained	1.21				
Sorted—containing noils or waste, scoured, dusted:					
No. 1 white	1.56				
No. 2 white	1.37				
No. 1 grey, white, colored, or stained	1.40				
No. 2 grey, colored, or stained	1.21				
No. 3 grey, black, colored, or stained	1.00				

SCHEDULE II—CEILING PRICES FOR NEW WOOL CLIPS

[Expressed in cents per pound f. o. b. shipping point, gross weight, tare not to exceed 5 percent]

MEN'S WEAR

Classification (sorted to grades and colors)	100 percent wool (98 percent boil out)	Free of cotton warps			With cotton warps, 25 to 49 percent
		90 to 97 percent	70 to 89 percent	50 to 69 percent	
WORSTEDS					
Mixed	$0.49	$0.42	$0.36	$0.26	$0.16
White	.95	.92	.76	.59	.38
Light	.54	.47	.40	.29	.18
Black and white	.62	.55	.46	.35	.21
Brown	.59	.52	.44	.33	.20
Powder blue	.59	.52	.44	.33	.20
Tan	.62	.55	.46	.35	.21
Oxford	.59	.52	.44	.33	.20
Blue	.59	.52	.44	.33	.20
Black	.59	.52	.44	.33	.20
Pastel	.66	.58	.50	.38	.23
Pearl gray	.66	.58	.50	.38	.23
Any other sorted shades	.59	.52	.44	.33	.20
GABARDINES OR TRICOTINES (FREE OF SILK, COTTON, OR RAYON DECORATIONS)					
Mixed	.52	.46	.39	.29	.17
Blue	.58	.52	.44	.33	.20
Black	.58	.52	.44	.33	.20
Brown	.66	.58	.50	.38	.23
Tan	.73	.65	.56	.42	.26
Slate	.71	.62	.53	.40	.24
Pastel	.73	.65	.56	.42	.26
Any other sorted light shades	.73	.65	.56	.42	.26
Medium	.58	.51	.43	.32	.20
Any other sorted dark shades	.58	.52	.44	.33	.20
Any other sorted medium shades	.62	.55	.46	.35	.21
TOPCOATINGS					
Mixed	.38	.31	.26	.19	.12
Black and white	.46	.41	.33	.24	.14
Tan	.46	.41	.33	.24	.14
Brown	.42	.36	.29	.21	.12
Powder blue	.44	.38	.31	.23	.13
Oxford	.42	.36	.29	.21	.12
Navy blue	.42	.36	.29	.21	.12
Chocolate	.46	.41	.33	.24	.14
Light	.42	.36	.29	.21	.12
Pearl gray	.58	.51	.43	.32	.20
Camel-hair shade	.58	.51	.43	.32	.20
Any other sorted shades	.46	.41	.33	.24	.14

SCHEDULE II—CEILING PRICES FOR NEW WOOL CLIPS—Continued

MEN'S WEAR—Continued

Classification (sorted to grades and colors)	100 percent wool (98 percent boil out)	Free of cotton warps			With cotton warps, 25 to 49 percent
		90 to 97 percent	70 to 89 percent	50 to 69 percent	
OVERCOATINGS (FREE OF MELTONS AND SNOW CLIPS)					
Mixed	$0.24	$0.19	$0.15	$0.12	$0.12
Black and white	.38	.31	.26	.19	.12
Tan	.33	.27	.22	.16	.12
Powder blue	.31	.25	.20	.15	.12
Brown	.30	.24	.20	.14	.12
Oxford	.30	.24	.20	.14	.12
Navy blue	.30	.24	.20	.14	.12
Pearl grey	.38	.31	.43	.32	.20
Camel hair shade	.38	.31	.43	.32	.20
Any other sorted shades	.33	.27	.22	.16	.12
TWEEDS (FREE OF NUBS)					
Mixed	.42	.36	.29	.21	.12
Black and white	.54	.47	.41	.29	.18
Tan	.52	.43	.37	.27	.16
Powder blue	.52	.43	.37	.27	.16
Pearl grey	.38	.31	.43	.32	.20
Medium	.46	.40	.33	.24	.14
Pastel	.54	.47	.41	.29	.18
Any other sorted shades	.52	.43	.37	.27	.16
COVERTS					
Mixed	.38	.31	.26	.19	.12
Light	.42	.37	.30	.22	.12
Pastel	.52	.43	.37	.27	.16
Tan	.52	.43	.37	.27	.16
Any other sorted shades	.52	.43	.37	.27	.16
WOMEN'S WEAR					
WORSTED CREPES					
Mixed	.38	.31	.26	.19	.12
Medium	.46	.40	.33	.24	.14
Dark	.33	.28	.19	.13	.12
Pastel, free of red and green	.62	.58	.46	.35	.21
Light, with red and green	.49	.42	.36	.26	.16
Black	.46	.40	.33	.24	.14
Blue	.46	.40	.33	.24	.14
Black and blue	.42	.36	.29	.21	.12
Brown	.46	.40	.33	.24	.14
Any other sorted shades	.46	.40	.33	.24	.14
WOOLEN CREPES OR FLANNELS					
Mixed	.30	.28	.19	.13	.12
Pastel, free of red and green	.62	.55	.46	.35	.21
Light, with red and green	.54	.47	.40	.29	.18
Medium	.38	.31	.26	.19	.12
Scarlet red	.54	.47	.40	.29	.18
Kelly green	.54	.47	.40	.29	.18
Pearl grey	.54	.47	.40	.29	.18
White	.90	.84	.71	.54	.35
Any other sorted shades	.54	.47	.40	.29	.18
SHETLANDS, SUEDES, COVERTS, FLEECES, AND POLOS					
Mixed	.24	.19	.15	.12	.12
Pastel, free of red and green	.62	.55	.46	.35	.21
Light, with red and green	.54	.47	.40	.29	.18
Scarlet red	.54	.47	.40	.29	.18
Kelly green	.54	.47	.40	.29	.18
Green	.34	.27	.22	.16	.12
Brown	.34	.27	.22	.16	.12
Black	.26	.19	.15	.12	.12
Navy blue	.26	.19	.15	.12	.12
Black and blue	.26	.19	.15	.12	.12
Chocolate	.36	.27	.22	.16	.12
Maroon	.34	.27	.22	.16	.12
Egg shell	.69	.62	.53	.40	.24
White	.90	.84	.71	.54	.35
Camel hair shade	.38	.31	.43	.32	.20
Medium	.34	.27	.22	.16	.12
Pearl grey	.34	.47	.40	.29	.18
Any other sorted shades	.34	.27	.22	.16	.12

SCHEDULE II—CEILING PRICES FOR NEW WOOL CLIPS—Continued

MISCELLANEOUS

Classification (sorted to grades and colors)	100 percent wool (98 percent boil out)	Free of cotton warps			With cotton warps, 25 to 49 percent
		90 to 97 percent	70 to 89 percent	50 to 69 percent	
PLAIDS					
Fine wool mixed	$0.36	$0.29	$0.24	$0.18	$0.12
Worsted mixed	.42	.36	.29	.21	.12
COATINGS					
Mixed fall coatings	.22	.17	.13	.12	.12
Mixed spring coatings	.42	.36	.29	.21	.12
SNOW SUITS					
Mixed	.18	.12	.12	.12	.12
Medium	.20	.14	.12	.12	.12
Navy	.20	.14	.12	.12	.12
Any other sorted shades	.23	.17	.13	.12	.12
OTHER ITEMS					
75 percent worsted, 25 percent woolen	.43	.36	.29	.21	.12
50 percent worsted, 50 percent woolen	.35	.27	.22	.16	.12
Under collar	.22	.16	.13	.12	.12
Mackinaw	.25	.19	.15	.12	.12
Blue melton	.19	.12	.12	.12	.12
Buffalo, mixed	.34	.27	.22	.16	.12
Black and white buffalo	.54	.47	.40	.28	.18
Boy's cashmere (part wool)	.14	.12	.12	.12	.12
Worsted pants bottoms	.24	.19	.15	.12	.12
White necktie clips	.84	.76	.66	.50	.31
Colored necktie clips	.30	.23	.19	.13	.21
AUTOMOTIVE AND UPHOLSTERY CLIPS					
All wool	.24				
Rayon, nylon, and wool combinations		.12	.12	.12	.08

SCHEDULE III—CEILING PRICES FOR KNITTED WOOL CLIPS

[Expressed in dollars and cents per pound f. o. b. shipping point, net weight]

Classification	100-percent wool (98-percent boil out)	90 to 97 percent	70 to 89 percent	50 to 69 percent	25 to 49 percent
NEW WORSTED SWEATER CLIPS AND CUTTERS					
64's grade or better:					
Bleached white	$1.52	$1.40	$1.17	$0.87	$0.58
Mixed pastels (free of reds)	1.27	1.16	.98	.74	.49
Pastel colors (sorted to shades)	1.39	1.29	1.07	.83	.54
Self shades (other than pastels)	1.11	1.01	.84	.65	.42
White worsted seamers	1.07	.98	.83	.64	.41
Mixed pastel seamers	.80	.73	.62	.47	.29
Light seamers	.58	.51	.43	.32	.20
Mill-run seamers	.54	.47	.40	.29	.18
Baby seamers	.86	.80	.68	.52	.33
Mixed cutters (fancies)	.86	.80	.68	.52	.33
Coarse 44's quality knitted clips:					
All seamers	.46	.40	.33	.24	.14
All cutters	.66	.58	.50	.38	.23
White cutters	1.23	1.13	.94	.73	.47
Jerseys:					
Pastels (free of reds)	.90	.84	.71	.54	.35
Darks	.55	.49	.42	.30	.19
White	1.16	.93	.80	.62	.40
Mediums	.70	.63	.54	.41	.23
Light	.75	.67	.57	.43	.26
Light grey	.90	.84	.71	.54	.35

SCHEDULE IV—CEILING PRICES FOR WOOL RAGS

[Expressed in cents per pound, f. o. b. shipping point, gross weight, tare not to exceed 5 percent]

MIXED STOCKS	
Mixed soft woolens (⅓ knits)	$0.27
Mixed knits (all colors)	.54
Mixed skirted merinos	.16
Rough worsteds (free of vests)	.15
Mixed skirted worsteds	.30
Rough wool bodies (free men's and children's wear)	.10
Rough cloth (40 percent worsteds)	.09
Mixed linsey knits (free solid cotton pieces)	.14
Rough wool cheviots	.09
Mixed rough overcoats	.06
Rough khaki worsteds	.23
Rough khaki free of worsteds	.13
Rough khaki cloth and worsteds	.16
GRADED OLD RAGS	
Men's wear:	
Skirted worsteds (100 percent worsted free of cotton warps, cashmeres, cheviots and cottonades):	
Dark	.30
Brown	.37
Blue	.36
Black and white	.37
Tan	.40
Light	.36
Oxford	.36
Black	.36
Pearl	.50
Powder	.36
Khaki	.48
All other sorted solid shades	.36
Skirted cloth and overcoats (free of cotton warps):	
Light	.15
Dark	.11
Black and white	.18
Tan	.19
Khaki	.20
Cadet	.25
All other sorted solid shades	.14
Women's wear:	
Merinos (free of cotton warps and silk noils):	
No. 1 fine light merino (free black and navy)	.42
Pastel fine light merino (all pastel colors)	.47
Black and white fine light merinos	.34
Mixed fine dark merinos (all fine)	.16
No. 1 coarse light merino (containing all colors free of black and navy)	.26
Pastel coarse light merinos (all pastel colors)	.32
No. 2 coarse light merinos	.18
Black and white coarse merinos	.22
Pearl grey merinos	.33
Coarse dark merinos	.14
Fine flannels and serges, all solid colors, free of cotton warps:	
Mixed solid colors	.17
Red flannels (darks in)	.20
Bright red	.29
Light blue	.18
White flannels and serges	.69
All other sorted solid shades	.20
MISCELLANEOUS	
Knits, 100 percent Knits (free of linseys):	
White (free of silk and underwear)	.98
White silk and wool	.65
Light hoods (free of silk)	.69
Pastel light hoods (all pastel colors)	.80
Medium light hoods	.62
Buff hoods or knits	.80
Silk and wool hoods	.50
Mixed dark woolen and worsteds	.56
Jockey	.70
Kelly green	.70
MISCELLANEOUS—Continued	
Knits, 100 percent Knits (free of linseys)—Continued	
Royal blue	$0.66
Green	.60
Brown	.60
Red	.66
Light blue	.60
Maroon	.60
Black	.60
Navy	.60
Steel gray	.60
Pearl grey	.66
Khaki	.66
Dark fancy	.46
Wool underwear	.66
All other sorted solid shades	.62
All other sorted solid pastel shades	.72
No. 1 quilt wool	.76
No. 2 quilt wool	.42
No. 1 bed wool	.92
No. 2 bed wool	.54
Pastel blankets	.50
Khaki blankets	.83
White Linsey knits	.33
Mixed thibets and serges (100 percent worsted)	.22
Blue tricotines (100 percent worsted, free cotton warps, tinsel and decorations)	.26
All light solid tan polos (free cotton warps and silk noils)	.34
Paper makers' felts (unscored all wool):	
White	.62
Near white	.51
Tan	.42
Grey	.30
Mixed scrap	.24

[F. R. Doc. 52-4799; Filed, Apr. 25, 1952; 10:35 a. m.]

[Ceiling Price Regulation 2, Revision 2, Amdt. 1]

CPR 2—CATTLEHIDES, KIPS AND CALFSKINS

SUSPENSION OF CEILING PRICES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 1 to Ceiling Price Regulation 2, Revision 2 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment suspends the provisions of Ceiling Price Regulation 2, Revision 2 on and after April 28, 1952, as to all commodities covered by that regulation, namely, cattlehides, kips, calfskins, and the cut parts thereof suitable for making leather. This action is taken in line with the policy of suspending or otherwise relaxing price controls on commodities whose selling prices are substantially below ceilings and are not expected to reach ceiling prices in the foreseeable future.

Revision 2 of CPR 2 was issued December 14, 1951 in order to establish a ceiling price level for cattlehides, kips, calfskins, and cut parts which was lower and more realistic than that set by CPR 2, Rev. 1. The market prices of these commodities were somewhat below the new ceilings established at that time, as more fully set out in the Statement of Considerations which accompanied Revision 2. Thereafter, the market prices of these commodities continued to fall. For example, light native cows, a key hide type, have sold for some weeks past at 16½ cents a pound or lower, whereas their ceilings range from 31 to 32 cents a pound. Generally, other types, weights and selections of hides and skins have followed the same pattern.

Elements of supply and demand also indicate a sufficiency of cattlehides, kips, calfskins and cut parts to meet future requirements, insofar as such requirements can now be anticipated. For one thing, it was expected some time ago that the armed forces would need a larger supply of shoes than they actually purchased. To meet this need tanners had made rather heavy purchases of hides and skins. However, as a result of the military's announcement in January 1952 of their reduced shoe procurement program, these stocks of hides and skins have been released for use in civilian footwear. Other factors indicating a sufficiency of hide and skin supplies to fulfill the foreseeable demand are the increased use of substitutes for leather in footwear, the slackening to some extent of civilian shoe sales, and cattle population data showing that its ratio to the human population is normal or even slightly above normal.

It is therefore the judgment of the Director of Price Stabilization that price controls on cattlehides, kips, calfskins and cut parts are not required at this time in order to carry out the purposes of the Defense Production Act of 1950, as amended. The Director may at any time terminate or modify this suspension if he determines that such action is necessary in the interest of the stabilization program, and the suspension will be terminated, in any event, if the prices of significant selections or types of hides and skins reach 80 percent of the ceilings set forth in CPR 2, Rev. 2.

The Statement of Considerations for CPR 2, Rev. 2 reviews at some length the price history of hides and skins since Korea. It shows that these commodities are subject to rapid and substantial price rises, and makes it clear that caution must accompany any relaxation of price controls over them. Certain selections of hides, for example, rose more than 2 cents per pound in a single day during the post-Korean advance. The possibility of another such upward surge in prices dictates that controls be reimposed at a point which is sufficiently below CPR 2, Rev. 2 ceilings to prevent their being pierced. In the case of light native cows, the 80 percent formula means that this suspension will be terminated if their selling price reaches approximately 25 cents a pound, which is about 11 cents above today's market and 6 to 7 cents less than the ceiling price. In the Director's judgment, this 6-to-7 cent differential between the ceiling price and 80 percent of it, affords a minimum safety margin for the reimposition of controls over these highly volatile commodities.

In the formulation of this amendment there has been consultation with industry representatives, including trade association representatives, to the extent practicable, and consideration has been given to their recommendations.

AMENDATORY PROVISION

Ceiling Price Regulation 2, Revision 2 is hereby amended by adding a new section, numbered 14, to read as follows:

SEC. 14. *Suspension.* All provisions of this regulation are suspended on and after April 28, 1952. You must, however, continue to comply with section 9 (a) of this regulation as to all records you were required to have on April 27, 1952. This suspension will continue unless and until the Director of Price Stabilization terminates or modifies it. The suspension of this regulation does not operate to place any of the commodities affected under the General Ceiling Price Regulation or any other ceiling price regulation.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall take effect on April 28, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

APRIL 25, 1952.

[F. R. Doc. 52-4793; Filed, Apr. 25, 1952; 10:34 a. m.]

[Ceiling Price Regulation 6, Amdt. 13]

CPR 6—FATS AND OILS

CRUDE SOYBEAN OIL, CRUDE COTTONSEED OIL, CRUDE CORN OIL, LARD; SUSPENSION OF PRICE CONTROL

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 13 to Ceiling Price Regulation 6 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to Ceiling Price Regulation (CPR) 6 accomplishes the following: (1) it revises the ceiling prices of crude soybean oil, crude cottonseed oil, and crude corn oil, (2) it establishes dollars-and-cents ceiling prices for processors' sales of lard, and (3) it provides for a suspension of all provisions of CPR 6 and other regulations insofar as they apply to specified fats and oils, including those commodities for which new ceiling prices are fixed by this amendment.

Crude soybean, cottonseed, and corn oils. Following the outbreak of hostilities in Korea, a sharp increase in the prices of fats and oils occurred. The pre-Korean price of crude soybean oil was about 12½ cents per pound and of crude cottonseed oil about 13½ cents per pound. At their peak during the General Ceiling Price Regulation (GCPR) base period, December 19, 1950 to January 25, 1951, these oils touched 22 cents and 26 cents respectively. The GCPR issued on January 26, 1951, arrested this price advance. CPR 6, issued on February 14, 1951, set dollars-and-cents ceilings for crude soybean, cottonseed and corn oils. That regulation eliminated variations in individual ceilings established under the GCPR and accomplished a slight rollback of individual GCPR ceilings. However, ceiling prices for these oils, both under the GCPR and CPR 6, were established at a time when domestic supplies were abnormally low in relation to a high domestic and foreign demand. In addition, a much wider than normal spread between prices for soybean oil and cottonseed oil had developed because of the low cottonseed oil supply. The excessively high prices and wide spreads which developed in the post-Korean period were largely reflected in the ceiling prices specified for these oils in CPR 6.

Conditions have changed substantially since the issuance of CPR 6. Supplies of edible vegetable oils generally, and of cottonseed oil in particular, show substantial improvement. The estimated increase in total production of the three oils in the current season over last year's output amounts to about 450 million pounds or 12 percent. This improvement in over-all supply and a lowered demand, have been directly reflected in a decline in market prices. Crude cottonseed oil quotations currently range from 10¼ cents per pound in Texas to 10½ cents per pound in the southeastern part of the United States. Current quotations on crude soybean oil are approximately 9¼ cents per pound, f. o. b. Decatur, Illinois. Crude corn oil is currently quoted at 11¾ cents per pound, f. o. b. U. S. mills.

As revised by this amendment, the ceiling price of soybean oil is 16½ cents per pound, f. o. b. Decatur, of crude cottonseed oil, 18 cents per pound (Valley basis), and of crude corn oil, 19 cents per pound f. o. b. U. S. mills. Soybean oil futures contracts on the New York Produce Exchange and the Chicago Board of Trade are traded on a crude Decatur basis, and the ceiling price for these futures contracts is therefore fixed at the same level as the Decatur ceiling price for actual crude soybean oil. No change has been made in the ceiling price for cottonseed oil futures contracts on the New York Produce Exchange or the New Orleans Cotton Exchange. These contracts are traded on a bleachable prime summer yellow basis. Changes in the ceiling prices for these futures contracts will not be made until revision of the ceiling prices for bleachable prime summer yellow and all other grades of refined oils takes place.

The reduction in the crude soybean oil ceiling price is being integrated with an upward adjustment in the ceiling price of soybean meal. The ceiling price for soybean oil set by this amendment and the new ceiling price for soybean meal, reflect the legal minimum price for soybeans and provide a generally fair and equitable margin for processors. The revised ceiling price for cottonseed oil, together with the ceiling prices under the General Ceiling Price Regulation for cottonseed meal, cottonseed hulls, and cotton linters, reflect at least the legal minimum price for cottonseed and provide generally fair and equitable margins for processors. Available data indicate that the change in the ceiling price for corn oil made by this amendment will have no significant effect on the reflection of the legal minimum price of corn.

The companion revisions in the ceiling prices of crude cottonseed and corn oils are being made to establish a balanced price structure between these oils and soybean oil. The price spreads over soybean oil of 1½ cents per pound for cottonseed oil and 2½ cents per pound for corn oil, as set by this amendment, more closely approximate normal price spreads between these competing oils.

The new ceiling prices for these oils, although representing a reduction in former ceilings, are 60 to 75 percent above current market quotations. Consequently, these ceiling prices should not affect the orderly marketing of these products. However, based on past experience, it is clear that the field of fats and oils is one of those most likely to respond violently to new speculative and inflationary pressures. Thus, it is important to take early action to erect a balanced price structure which will withstand those pressures and minimize their effect on the cost of living. Moreover, the intention of the Director to adjust existing ceiling prices in the light of changed supply-demand conditions was made clear in the Statement of Considerations accompanying CPR 6 as originally issued. It stated in part: "The establishment of price ceilings on fats and oils has taken place in the latter part of a year extremely abnormal in respect to domestic supply, and to demand both domestic and foreign. The aim is to establish ceiling prices workable until new crop conditions can be visualized. All fats and oils ceilings will be subject to review at that time."

Since the prices of the end products are closely related to prices of the basic crude oils, the changes made by this amendment necessitate revision of existing ceiling prices for the various grades of refined oils, salad oils, cooking oils, shortenings and other end products. Such a revision cannot be made until additional data have been secured on refining, manufacturing, packaging and transportation costs, but will be accomplished as quickly as possible.

Lard. Lard processors' ceiling prices have up to this time been governed by the General Ceiling Price Regulation. That regulation froze prices on the basis of deliveries made during the period December 19, 1950 to January 25, 1951. However, it is the practice of the industry to contract for sales well in advance of actual delivery. Thus many deliveries during the base period were made at prices applicable to a prior period. The issuance of GCPR checked the swift rise in lard prices after the Korean outbreak, but, because of the industry sales practice, resulted in a distorted ceiling price structure for lard processors.

While the current market situation is such that processors are not adversely affected by having ceiling prices fixed on the basis of deliveries made in the GCPR base period, any new pressures on lard prices are likely to cause an unfair squeeze on some processors. The most feasible method for removing inequities resulting from distorted lard ceiling

prices is the dollars-and-cents ceiling. It is, moreover, the general policy of the OPS to bring commodities under identifiable ceilings whenever feasible. This amendment accordingly fixes dollars-and-cents ceiling prices to govern sales by lard processors. These prices are set forth in a new section 31 added to CPR 6.

The new section 31 establishes a basic price of 17 cents a pound for loose lard at Chicago. This price is equal to the average of daily quotations during the GCPR base period. It also represents a ceiling price for lard which is in normal relationship with the ceiling prices of crude cottonseed, soybean, and corn oils established by this amendment. While the new lard ceiling price effects a reduction of around 1 cent a pound in ceilings of some processors, it is 80 percent higher than the price immediately preceding the Korean hostilities and about 70 percent higher than the current market price.

The structure of Section 31 is patterned closely after that of Office of Price Administration Maximum Price Regulation 53, Section 11. Representative meat packers consulted have indicated that the war-time regulation, which followed normal pricing practices of the industry, was in the main satisfactory. It is customary for processors and buyers of lard to gear their operations largely to the value of prime steam lard, tank cars, f. o. b. Chicago, or "loose lard", as it is called in the trade. The ceiling prices now fixed for loose lard are 17 cents at Chicago and 16¾ cents at Kansas City and other designated producing points, with the spread based on the equalization of freight rates to major consuming markets. The price of lard as it moves to consuming markets reflects actual freight costs from normal supplying centers. Consequently, lard ceiling prices established by this amendment conform to industry patterns and are set up so far as possible to speed a normal flow of lard to the various markets.

Grade and container differentials have been established so as to reflect actual processor costs. A spread of 3 cents between loose lard and commercial refined lard in tierces or drums has been fixed. The ceiling price fixed for prime steam lard or dry-rendered lard, tierces or drums, Chicago, is 18¾ cents per pound which becomes the ceiling price for transactions on the Chicago Board of Trade.

The basic loose lard price fixed by this amendment, together with the level of pork prices established under CPR 74, reflect the parity price of hogs, as required by the Defense Production Act of 1950, as amended.

Suspension of price control. In addition to the effects of this amendment already described, it suspends the provisions of CPR 6 on and after April 28, 1952, as to the following commodities:

1. Crude soybean oil.
2. Crude cottonseed oil.
3. Crude corn oil.
4. Tallows and greases.
5. Fat-bearing and oil-bearing animal waste materials.
6. Lard when sold by processors.
7. Vegetable oil soapstocks.

This action is taken in line with the policy of the Office of Price Stabilization of suspending or otherwise relaxing price controls on commodities whose selling prices are substantially below ceiling prices and are not expected to reach ceiling prices in the foreseeable future. In the judgment of the Director price controls on the listed commodities are not required at this time in order to carry out the purposes of the Defense Production Act of 1950, as amended.

As already noted, current market prices of crude soybean, cottonseed and corn oils and lard are substantially below their ceilings. This situation also exists in the case of inedible tallow and grease, vegetable oil soapstocks and fat-bearing and oil-bearing animal waste materials. Inedible tallow, fancy grade, is currently selling for less than 6 cents a pound as compared with a ceiling price of 10½ cents; yellow grease at less than 5 cents a pound as compared with a ceiling price of 9⅛ cents; raw vegetable oil soapstocks at around 1 cent a pound as compared with a ceiling price of 6 cents.

The Director may at any time terminate or modify this suspension if he determines that such action is necessary in the interest of the stabilization program. In addition, because the history of price movements in this field indicates that the current situation may change radically almost overnight, the Director will keep prices of these commodities under continuing study and will rescind this suspension in whole or in part as appropriate if and when quotations of actual transactions in established spot or future markets reach the following price levels: crude cottonseed oil, 15½ cents, Valley basis; crude soybean oil, 14 cents, f. o. b. Decatur, Illinois; crude corn oil, 16½ cents, f. o. b. U. S. mills; fancy tallow, 9 cents, New York; and loose lard, 14½ cents, Chicago. The price levels at which this suspension would be rescinded on the named crude oils and lard are 2½ cents and on tallow 1½ cents below their respective ceiling prices.

In a rapidly rising market, these commodities, once they had attained the specified prices, could reach suspended ceiling levels in two or three days. As a matter of fact, the maximum daily increases allowed by commodity exchanges are 2 cents per pound each for lard, crude soybean oil and refined cottonseed oil. Refined cottonseed oil closely reflects the market behavior of the crude. Thus, there is nothing in the present rules of the commodity exchanges to prevent sharp advances in the prices of these commodities. While these oils, lard and tallow are highly volatile pricewise, it is the judgment of the Director that he will be readily able to end the suspension before prices run away because the manner of dealing in these commodities makes current prices for them easily ascertainable on a daily basis.

If the suspension of this regulation insofar as it relates to fat-bearing and oil-bearing animal waste materials, or to raw and acidulated vegetable oil soapstocks, is terminated at some future date, it is the intention of the Director to revise present ceilings for those commodities prior to the termination if that should then appear necessary in order to maintain normal price differentials or comply with legal minimum price requirements.

Further study is now being given to the need and feasibility of suspension of price control with respect to other commodities covered by CPR 6.

Findings of the Director. In formulating this amendment, the Director of Price Stabilization has consulted with industry representatives, including trade association representatives, and has given full consideration to their recommendations. This consultation included discussions with Industry Advisory Committees. However, because of the diversity of the commodities and sellers involved and in view of the relationship of current market prices to the new ceiling prices fixed by this amendment, it has not been practicable to consult with representatives of all the sellers concerned. In the judgment of the Director, the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

So far as practicable, the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, as amended; to prices prevailing during the period from May 1950 to June 24, 1950, inclusive; and to relevant factors of general applicability.

AMENDATORY PROVISIONS

Ceiling Price Regulation 6 is amended in the following respects:

1. Section 21 is amended by substituting for the table of crude cottonseed oil ceiling prices in paragraph (a) the following table of ceiling prices:

(a) *Crude cottonseed oil.* In tank cars, in cents per pound as follows:

	F. O. B. mill Cents
Arizona (except Graham County)	18⅜
Illinois; North Carolina; South Carolina; Tennessee; Crittenden and Mississippi Counties, Arkansas; New Madrid, Dunklin, and Scott Counties, Missouri; Morgan County, Alabama	18⅛
Alabama (except Morgan County); Arkansas (except Crittenden and Mississippi Counties); Florida; Georgia; Louisiana; Mississippi; Missouri (except New Madrid, Dunklin, and Scott Counties); Graham County, Arizona; Bowie County, Texas	18
Oklahoma; El Paso County, Texas; New Mexico	17⅞
Texas (except El Paso County)	17¾
California (except Los Angeles County)	18½
Los Angeles County, California	18¾

2. Section 21 (a) (1) is amended to read as follows:

(1) These crude cottonseed oil ceiling prices shall be adjusted on a 9 percent

settlement basis as provided in Rule 142 of the 1951–52 Rules of the National Cottonseed Products Association, Inc.

3. The heading of Section 22 is amended to read as follows:

SEC. 22. *Sellers of soybean oil.*

4. Section 22 is amended by substituting for the table of crude soybean oil ceiling prices in paragraph (a) the following table of ceiling prices:

(a) *Crude soybean oil.* In tank cars, in cents per pound, as follows:

	F. O. B. mill *Cents*
California, Oregon, Washington	17⅝
Arizona	17⅛
Alabama, Arkansas, Florida, Georgia, Illinois, Kansas, Louisiana, Mississippi, Missouri, New Mexico, Oklahoma, Tennessee, Texas	16½
Iowa, Minnesota, Nebraska, North Dakota, South Dakota	16⅜
Delaware, Indiana, Kentucky, Michigan, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Virginia, Wisconsin	[1] 16½

[1] Plus freight from Decatur, Illinois, to New York, N. Y., minus freight from point of sale to New York, N. Y.; provided that in no case shall your ceiling be less than 16½ cents.

5. Section 22 (a) (1) is amended to read as follows:

(1) These crude soybean oil ceiling prices shall be adjusted on a 7 percent refining loss basis as provided in Rule 102 of 1951–52 Rules of the National Soybean Processors Association.

6. Section 22 (b) is amended to read as follows:

(b) *Crude soybean oil futures.* The ceiling price for crude soybean oil futures contracts traded on the New York Produce Exchange and the Chicago Board of Trade shall be 16.50 cents per pound.

7. Section 23 is amended by substituting for the table of crude corn oil ceiling prices in paragraph (a) the following table of ceiling prices:

(a) *Crude corn oil.* In tank cars, in cents per pound, as follows:

	Cents
F. o. b. all mills in U. S., except Geneva, New York, and Wilkes-Barre, Pennsylvania	19
F. o. b. Geneva, New York, and Wilkes-Barre, Pennsylvania	19½

8. A new Section 31, to read as follows, is added:

SEC. 31. *Ceiling prices for processors of lard*—(a) *Loose lard and standard commercial refined lard.* Your ceiling price for a sale of loose lard and base or standard commercial refined lard shall be:

(1) Delivered within the corporate limits of basing points, in cents per pound, as follows:

	Kansas City	Chicago and East St. Louis	Multiple basing points
	Cents	*Cents*	*Cents*
Loose lard	16.75	17.00	16.75
Base or standard commercial refined lard (in non-returnable drums or tierces, carlots)	19.75	20.00	19.75

(2) Delivered outside corporate limits of basing points, in cents per pound as follows:

	Kansas City basing point area	Chicago and East St. Louis basing point area	Multiple basing point area
Loose lard	Area basing point price plus the tank car freight rate per pound on loose lard, Federal transportation tax included, from area basing point to community of sale. No other charges may be added to this price.	Area basing point price plus tank car freight rate per pound on loose lard, Federal transportation tax included, from basing point in area nearest freight-wise to community of sale. No other charges may be added to this price.	Area basing point price plus tank car freight rate per pound on loose lard, Federal transportation tax included, from basing point in area nearest freight-wise to community of sale. No other charges may be added to this price.
Base or standard commercial refined lard (nonreturnable drums or tierces).	Area basing point price plus the packing house products freight rate per pound, including tare and Federal transportation tax, from area basing point to community of sale. No other charges may be added to this price.	Area basing point price plus packing house products freight rate per pound, including tare and Federal transportation tax, from basing point in area nearest freight-wise to community of sale. No other charges may be added to this price.	Area basing point price plus packing house products freight rate per pound, including tare and Federal transportation tax, from basing point in area nearest freight-wise to community of sale. No other charges may be added to this price.

(b) *Lard other than loose lard or base or standard commercial refined lard.* (1) Your ceiling price for lard other than loose lard or base or standard commercial refined lard is determined by applying the following differentials:

Over (+) or under (−) the ceiling price for base or standard commercial refined lard

	Cents per pound
In tierces or 400-pound drums:	
Prime steam lard	−1.25
Dry rendered lard	−1.25
Rendered pork fat	−1.75
Refined rendered pork fat	−.50
Special refined hardened lard (4 percent lard flakes)	+.25
Open kettle rendered lard	+.75
Neutral lard	+1.00
Edible lard oil	+1.50
In bags:	
Lard flakes	+.75
Rendered pork fat flakes	+.25

(2) Your ceiling prices for those types and grades of lard for which specific ceilings are not established by this section are determined by applying your customary differentials in effect for the calendar year 1950 to your ceiling price for base or standard commercial refined lard, provided that in the case of special refined hardened lard, you may add 0.0625 cents for each additional 1 percent of lard flakes over 4 percent but not to exceed a total allowance of 0.75 cents per pound.

(c) *Container differentials.* (1) Your ceiling price for lard sold in other than tierces or 400-pound drums is determined by adding the following differentials to your ceiling price of the particular type of lard involved.

Container	*Differential to be added in cents per pound*
120-pound non-returnable drums	None
65-pound hardwood tubs	0.50
56-pound wood or fibre export boxes	.25
50-pound tins	.50
50-pound fibre cubes	.25
37-pound tins	.50
25-pound tins	1.00
20-pound tins	1.50
16-pound tins	1.50
8-pound tins	1.50
4-pound tins	1.75
3-pound tins, key-opener style	2.00
8-pound cartons	.50
4-pound cartons	.50
3-pound cartons	.50
2-pound cartons	.50
1-pound cartons	.50

(2) *Sales of refined lard in tank cars.* Your ceiling price for sales of refined lard in tank cars is determined by subtracting 1.75 cents per pound from your ceiling price, in tierces or drums, of the particular type of refined lard involved.

(3) *Sales of refined lard in tank trucks.* Your ceiling price for sales of refined lard in tank trucks is determined by subtracting 1.50 cents per pound from your ceiling price, in tierces or drums, of the particular type of refined lard involved.

(4) *Sales in other than listed containers.* If you sell lard in a type or size of container not listed above your ceiling price for that lard is your ceiling price for the particular type of lard involved plus your customary differential in effect for the calendar year 1950 over or under the drum or tierce price.

(d) *Quantity differentials.* (1) Ceiling prices established by paragraphs (a) through (c) of this section are ceiling prices for carload sales where the carload is sold to one buyer and shipped in one shipment, single destination or in a stop-over joint car shipment, more than one destination.

(2) Your ceiling price for less than carload sales other than branch house and car route sales is determined by adding 0.50 cents per pound to your delivered ceiling price at the community of sale.

(e) *Branch house and car route sales of lard.* If you sell lard through a branch house or car route owned by you, or owned by a corporation more than 50 percent of whose stock is owned or controlled by you, to a purchaser other than (1) a jobber, or (2) a wholesaler, or (3) a purchaser who buys a carload lot or that quantity to which your lowest price is applicable, your delivered ceiling price on such sales is determined by adding 1.25 cents per pound to your delivered ceiling price otherwise fixed in this section.

(f) *Cash lard.* Your ceiling price for cash lard shall be 18.75 cents per pound, Chicago basis, and the ceiling price for lard futures contracts traded on the Chicago Board of Trade shall be 18.75 cents per pound.

(g) *Loose prime steam lard sold to processors located in basing points.* If you sell and deliver loose prime steam lard to a processor who is located within the corporate limits of any of the basing points specified in paragraph (a) and the

lard is delivered by you in tank cars from a plant located within the railroad switching limits of the same basing point, you may add to the ceiling prices set forth above the railroad switching charge incurred. However, where delivery is in tank trucks, you may add an amount per pound not greater than the sum that would be charged per pound by a railroad carrier for the most comparable switching movement of a tankcar containing 60,000 pounds.

(h) *Definitions.* (1) "Loose lard" means lard in tankcars conforming with paragraph 20, Section 17.8, Meat Inspection Regulations of the United States Department of Agriculture, regardless of rendering method and not refined.

(2) "Prime steam lard" shall be considered the same as loose lard both as to definition and price consideration except that it shall be rendered in tanks by the direct application of steam.

(3) "Dry rendered lard" shall be considered the same as loose lard both as to definition and price consideration except that it shall be rendered in steam-jacketed tanks.

(4) "Cash lard" means prime steam or dry rendered lard in tierces or drums conforming with the requirements of Regulation 1480, page 149, Rules and Regulations of the Chicago Board of Trade, February 1, 1950.

(5) "Rendered pork fat" means those rendered edible pork fats, regardless of rendering method, not eligible for lard as such, in accordance with paragraph 20, Section 17.8, Meat Inspection Regulations, United States Department of Agriculture.

(6) "Refined rendered pork fat" means rendered pork fat as defined above, regardless of rendering method used in processing such pork fats and refined under standard commercial practice.

(7) "Base or standard commercial refined lard" means that kind of lard produced from loose lard, regardless of rendering method used in making the loose lard, and refined under standard commercial practice.

(8) "Special refined hardened lard" means lard which conforms to the requirements of base or standard commercial refined lard, as above defined, with the addition of a minimum of 4 percent lard flakes which have a minimum titre of 57°C.

(9) "Open kettle rendered lard" means that kind of lard produced from leaf fat or back fat, or a combination thereof, and which is kettle-rendered in a regular commercial manner.

(10) "Neutral lard" means that kind of lard from chilled leaf fat only rendered at a temperature not exceeding 130°F and which is bland in flavor.

(11) "Lard flakes" means hydrogenated lard which conforms with paragraph 20, Section 17.8, Meat Inspection Regulations of the United States Department of Agriculture. The titre shall not be less than 57°C and free fatty acid shall not exceed 0.2 percent.

(12) "Rendered pork fat flakes" means hydrogenated rendered pork fat conforming with paragraph 20, Section 17.8, Meat Inspection Regulations of the United States Department of Agriculture.

(13) "Edible lard oil" means the liquid or oil portion mechanically pressed from prime steam lard.

(14) "Community of sale" (i) Except as otherwise provided below, "community of sale" means that point at which the purchaser resells lard purchased from the processor, regardless of the point at which actual delivery of the lard from the processor to the purchaser takes place.

(ii) Where you sell and deliver lard to the warehouse of a purchaser who is the owner of four or more retail stores at which the lard will be resold by him, and he is unable to determine at time of delivery to his warehouse the particular retail store from which the lard will ultimately be resold, then in such case, and only in such case, "community of sale" means the place where the warehouse at which you make delivery is located.

(iii) Where lard is purchased from a processor for purpose other than reselling it as lard (such as, but not limited to, purchases for consumption, or for use in manufacturing another product), "community of sale," means the location of the buyer's premises at which the lard is consumed, or employed in manufacturing another product, or otherwise used.

(15) "Tare" means 15 percent of the packing house product freight rate, whether carload sale or less than carload sale and regardless of package or type of lard.

(16) "Packing house product freight rate" means the packing house product freight rate, published in public tariffs for minimum 30,000 pound weight packing house products (except canned meats) or if no rate for 30,000 pound minimum weight same class is available, the nearest minimum weight carload established for same class shall apply.

(17) "Chicago and East St. Louis basing points area" shall include that part of the Continental United States East of the Mississippi River and North of the Northern boundaries of Tennessee and North Carolina, (except Minnesota), and the following counties of Iowa: Dubuque, Jackson, Clinton and Scott.

(18) "Kansas City basing point area" shall include that part of the Continental United States East of the Mississippi River and South of the Southern boundaries of Kentucky and Virginia.

(19) "Multiple basing point area" shall include that part of the Continental United States West of the Mississippi River and all of the State of Minnesota, but excluding the following counties of Iowa:

Dubuque, Jackson, Clinton, and Scott.

Basing points shall be as follows:

Iowa: Cedar Rapids, Des Moines, Fort Dodge, Marshalltown, Mason City, Ottumwa, Waterloo.
Minnesota: Albert Lea, Austin, Duluth, South St. Paul, St. Paul, Winona.
Missouri: Kansas City, South St. Joseph.
Nebraska: South Omaha, Omaha.

9. A new section 32, to read as follows, is added:

SEC. 32. *Suspension as to certain commodities.* All provisions of this regulation are suspended on and after April 28, 1952, as to the following commodities:

1. Crude soybean oil
2. Crude cottonseed oil
3. Crude corn oil
4. Tallows and greases
5. Fat-bearing and oil-bearing animal waste materials
6. Lard when sold by processors
7. Vegetable oil soapstocks

You must, however, continue to comply with the requirements of section 14 of this regulation and section 16 of the General Ceiling Price Regulation, to the extent each is applicable, as to all records you were required to have on April 27, 1952. This suspension will continue unless and until the Director of Price Stabilization terminates or modifies it. The suspension of this regulation does not operate to place any of the commodities affected under the General Ceiling Price Regulation or any other ceiling price regulation.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective April 28, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

APRIL 25, 1952.

[F. R. Doc. 52-4794; Filed, Apr. 25, 1952; 10:34 a. m.]

[Ceiling Price Regulation 20, Amdt. 3]

CPR 20—FUTURES TRADING ON WOOL EXCHANGE

SUSPENSION OF CEILING PRICES

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82nd Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 3 to Ceiling Price Regulation 20 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment suspends the provisions of Ceiling Price Regulation 20 on and after April 28, 1952. This action is taken in line with the policy of suspending or otherwise relaxing price controls on commodities whose selling prices are substantially below ceilings and are not expected to reach ceiling prices in the foreseeable future.

In mid-April 1952, 64's average wool sold at $1.50 per pound, approximately 44 percent below the ceiling for commercial sales, whereas nearby futures opened at $1.385 on April 21, 1952, 49 percent below the futures ceiling. Amendment 1 to CPR 35, Rev. 1, issued today, suspends that regulation as to commercial sales of wool and alpaca and their top and noils. The Statement of Considerations accompanying that Amendment sets out in detail the reasons for that action. For the same reasons, this Amendment 3 to CPR 20 suspends ceiling prices for sales of wool and wool top on the futures exchange.

In the judgment of the Director price controls on sales of wool and wool top

on the futures exchange are not required at this time in order to carry out the purposes of the Defense Production Act of 1950, as amended. The Director may at any time terminate or modify this suspension if he determines that such action is necessary in the interest of the stabilization program and he will terminate this suspension of ceiling prices when the price of a wool futures contract for the nearby month, as published by the Wool Associates of the New York Cotton Exchange, reaches $2.36.

Under the rules of the Exchange, futures prices cannot fluctuate more than ten cents in any one trading day. The difference between the price of $2.36 and the ceiling of $2.66 represents a minimum of three trading days. Inasmuch as futures prices are published daily, time is allowed for termination of the suspension before prices rise above ceilings.

In the formulation of this amendment there has been consultation with industry representatives, including trade association representatives, to the extent practicable, and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

Ceiling Price Regulation 20, as amended, is hereby amended by adding a new section, numbered 8, to read as follows:

SEC. 8. *Suspension.* All provisions of this regulation are suspended on and after April 28, 1952. This suspension will continue unless and until the Director of Price Stabilization terminates or modifies it. The suspension of this regulation does not operate to place any of the commodities affected under the General Ceiling Price Regulation or any other ceiling price regulation.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 3 to Ceiling Price Regulation 20, is effective April 28, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

APRIL 25, 1952.

[F. R. Doc. 52-4795; Filed, Apr. 25, 1952; 10:34 a. m.]

[Ceiling Price Regulation 35, Revision 1, Amdt. 1]

CPR 35—CEILING PRICES FOR WOOL AND RELATED FIBRES

SUSPENSION OF CEILING PRICES

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82nd Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 1 to Ceiling Price Regulation 35, Revision 1, is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment suspends the provisions of Ceiling Price Regulation 35, Revision 1, on and after April 28, 1952, as to the following commodities: greasy wool, scoured wool, wool top, wool noils, alpaca fleece, alpaca top and alpaca noils. This action is taken in line with the policy of suspending or otherwise relaxing price controls on commodities whose selling prices are substantially below ceilings and are not expected to reach ceiling prices in the foreseeable future.

Ceiling Price Regulation 35, effective May 9, 1951, established dollars-and-cents ceiling prices for sales, by sellers other than the growers, of wool, mohair, alpaca and their top and noils. On January 9, 1952, Ceiling Price Regulation 35, Revision 1, was issued, effective April 8, 1952, reducing CPR 35 ceilings to the minimum permitted by the Defense Production Act of 1950, as amended. At that time wool was selling approximately 30 percent below the new ceiling prices. Since the issuance of CPR 35, Rev. 1, wool prices have steadily declined, except for minor fluctuations until, by mid-April 1952, 64s average wool was traded at $1.50 per pound, approximately 44 percent below the CPR 35, Rev. 1, ceiling of $2.66.

Reduced world consumption of wool during 1951 has resulted in a sufficiently sizeable carry-over so that if consumption and production remain at present levels, supplies should be adequate to meet anticipated demands. With consumption presently at a low level and with relatively large foreign accumulations in Uruguay and Argentina acting as a deterrent to rising market prices, only moderate price rises may be expected. In the absence of emergency conditions, it is not anticipated that CPR 35, Rev. 1, ceilings for wool and alpaca will be approached in the foreseeable future.

In the case of mohair, however, trading in March and early April was at prices much nearer ceiling prices than wool. Therefore, ceiling prices for mohair are not suspended at this time.

All records which were required to be prepared and preserved under applicable ceiling price regulations in effect prior to this suspension must continue to be preserved.

In the judgment of the Director price controls on wool, alpaca and their top and noils are not required at this time in order to carry out the purposes of the Defense Production Act of 1950, as amended. The Director may at any time terminate or modify this suspension if he determines that such action is necessary in the interest of the stabilization program and he will terminate it when the price of a wool futures contract for the nearby month, as published by the Wool Associates of the New York Cotton Exchange, reaches $2.36.

Under the rules of the Exchange, futures prices cannot fluctuate more than ten cents in any one trading day. The difference between the price of $2.36 and the ceiling of $2.66 represents a minimum of three trading days. Inasmuch as futures prices are published daily, time is allowed for termination of the suspension before prices rise above ceilings.

In the formulation of this amendment there has been consultation with industry representatives, including trade association representatives, to the extent practicable, and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

Ceiling Price Regulation 35, Revision 1, is hereby amended by adding a new section, numbered 15, to read as follows:

SEC. 15. *Suspension as to wool and alpaca.* All provisions of this regulation are suspended on and after April 28, 1952, as to the following commodities: greasy wool, scoured wool, wool top, wool noils, alpaca fleece, alpaca top and alpaca noils. You must, however, continue to comply with the record-keeping requirements of sec. 10 as to all records you were required to have on April 27, 1952. This suspension will continue unless and until the Director of Price Stabilization terminates or modifies it. The suspension of this regulation does not operate to place any of the commodities affected under the General Ceiling Price Regulation or any other ceiling price regulation.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 1 to Ceiling Price Regulation 35, Revision 1, is effective April 28, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

APRIL 25, 1952.

[F. R. Doc. 52-4796; Filed, Apr. 25, 1952; 10:34 a. m.]

[Ceiling Price Regulation 40, Amdt. 1]

CPR 40—BURLAP

SUSPENSION OF CEILING PRICES

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82nd Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 1 to Ceiling Price Regulation 40 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment suspends the provisions of Ceiling Price Regulation 40 on and after April 28, 1952. This action is taken in line with the policy of suspending or otherwise relaxing price controls on commodities whose selling prices are substantially below ceilings and are not expected to reach ceiling prices in the foreseeable future.

Since June 1951, there has been a gradual decline in burlap prices. Two of the most popular constructions used in this country are selling at approximately 48 percent below their ceiling prices. Jute, from which burlap is made, is expected to be in plentiful supply because of a large carry-over from the 1951–1952 jute crop, as well as a large 1952–1953 jute crop which is anticipated. Former high prices for burlap have caused a decrease in United States consumption and a consequent shift to substitutes. These factors, as well as a possible further lowering of the burlap export duty in India, whose mills produced 82 percent of the burlap imported into the United States in 1951, should tend to keep burlap prices well below the current ceilings.

It is the judgment of the Director that price controls on burlap are not required

at this time in order to carry out the purposes of the Defense Production Act of 1950, as amended. This amendment, therefore, suspends all provisions of CPR 40, except that records of purchases and sales made prior to April 28, 1952, must be preserved. The Director may at any time terminate or modify this suspension if he determines that such action is necessary in the interest of the stabilization program. In any event, this suspension will be terminated when the price of 40-inch, 10-ounce burlap rises to 24 cents per yard (landed U. S. A., ex dock port of discharge, duty paid) and/or the price of 40-inch, 7½-ounce burlap rises to 18 cents per yard (landed U. S. A., ex dock port of discharge, duty paid).

Notwithstanding the factors which have led to this suspension, the events of 1950 and 1951 demonstrate the possibilities of rapid increases in the price of burlap should the supply again become unavailable due to conditions in the producing and fabricating countries. Accordingly, the prices at which this suspension will be terminated have been established sufficiently below ceiling prices to allow the Director a reasonable time in which to take appropriate action.

In the formulation of this amendment there has been consultation with industry representatives, including trade association representatives, to the extent practicable, and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

Ceiling Price Regulation 40 is hereby amended by adding a new section, numbered 14, to read as follows:

SEC. 14. *Suspension.* All provisions of this regulation are suspended on and after April 28, 1952. You must, however, continue to comply with the record-keeping requirements of Sec. 11 as to all records you were required to have on April 27, 1952. This suspension will continue unless and until the Director of Price Stabilization terminates or modifies it. The suspension of this regulation does not operate to place any of the commodities affected under the General Ceiling Price Regulation or any other ceiling price regulation.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective on April 28, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

APRIL 25, 1952.

[F. R. Doc. 52-4797; Filed, Apr. 25, 1952; 10:34 a. m.]

[Ceiling Price Regulation 42, Amdt. 2]

CPR 42—CEILING PRICES FOR CERTAIN CANNED VEGETABLES OF THE 1951 SPRING PACK

CANNED RHUBARB AND CANNED ASPARAGUS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 2 to Ceiling Price Regulation 42 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment provides that the present ceiling prices for the 1951 pack of canned asparagus and canned rhubarb shall be the ceiling prices for canned asparagus and rhubarb of the 1952 pack. Data are now being collected and analyzed that will enable the Office of Price Stabilization to re-examine CPR 42 ceiling prices for the new pack of canned asparagus and canned rhubarb. In the interim before revived ceiling prices are established, however, ceiling prices for canned asparagus and canned rhubarb of the 1952 pack would have to be established under the GCPR in the absence of this amendment. In order not to disrupt the orderly marketing of the early packs of asparagus and rhubarb, this amendment is being issued to enable present ceiling prices to continue without interruption.

Before issuing this amendment the Director of Price Stabilization has consulted with individual members of the industry affected, as well as representatives of trade associations, and has given full consideration to their recommendations. In the judgment of the Director the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISION

Ceiling Price Regulation 42 is amended by changing section 1 (a) to read as follows:

SECTION 1. *Coverage of this regulation*—(a) *What products and sellers are covered.* This regulation establishes a method for calculating ceiling prices for sales by canners of 1951 and later packs of the following canned vegetables processed in the following areas:

Product:	*Area*
Asparagus	All States.
Rhubarb	All States.

Other vegetables may be added from time to time. This regulation does not apply to any listed vegetable that is packed and sold as "baby food," as "junior food," or as "soup."

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment is effective April 25, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

APRIL 25, 1952.

[F. R. Doc. 52-4798; Filed, Apr. 25, 1952; 10:34 a. m.]

Chapter XXI—Office of Rent Stabilization, Economic Stabilization Agency

[Rent Regulation 3, Amdt. 2 to Schedule A]

RR3—HOTEL REGULATION

SCHEDULE A—DEFENSE RENTAL AREA

ALABAMA, CALIFORNIA, UTAH, AND ALASKA

Correction

In F. R. Doc. 51-11873, appearing at page 10087 of the issue for Wednesday, October 3, 1951, the following changes should be made in Schedule A:

1. In the third line of the first column, "(337)" should read "(336)."

2. In the fifth line of the third column, "Great Salt Desert" should read "Great Salt Lake Desert."

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix—Public Land Orders

[Public Land Order 819]

CALIFORNIA

TRANSFER OF LANDS FROM SIERRA NATIONAL FOREST TO INYO NATIONAL FOREST, AND FROM PLUMAS NATIONAL FOREST TO LASSEN NATIONAL FOREST

By virtue of the authority vested in the President by the act of June 4, 1897 (30 Stat. 34, 36; 16 U. S. C. 473), and pursuant to Executive Order No. 9337 of April 24, 1943, and upon the recommendation of the Secretary of Agriculture, it is ordered as follows:

The following-described lands within the exterior boundaries of the Sierra National Forest, California, are hereby transferred to the Inyo National Forest, effective July 1, 1952:

MOUNT DIABLO MERIDIAN

T. 2 S., R. 25 E., unsurveyed,
Secs. 22, 23, 24, and 27, those parts south of the divide between Middle Fork San Joaquin River and Rush Creek;
Secs. 25 and 26;
Secs. 33 and 34, those parts east of the divide between North Fork and Middle Fork of the San Joaquin River;
Secs. 35 and 36.

T. 3 S., R. 25 E., unsurveyed,
Secs. 1 and 12;
Secs. 2, 11, 13, 14, 24, and 25, those parts east of the divide between the North Fork and Middle Fork of the San Joaquin River.

T. 2 S., R. 26 E.,
Secs. 31, 32, and 33, those parts south of the divide between the Middle Fork San Joaquin River and Rush Creek.

T. 3 S., R. 26 E., unsurveyed,
Secs. 3, 4, 10, 11, 13, 14, 24, 25, and 36, those parts south and west of the divide between Middle Fork San Joaquin River and Owens River;
Secs. 5 to 9, inclusive;
Secs. 15 to 23, inclusive;
Secs. 26 to 30, inclusive;
Sec. 31, that part east of the divide between North Fork and Middle Fork of the San Joaquin River;
Secs. 32 to 35, inclusive.

T. 4 S., R. 26 E., unsurveyed,
Secs. 1 to 5, inclusive;
Secs. 6 and 7, those parts east of the divide between North Fork and Middle Fork of the San Joaquin River;
Secs. 8 to 16, inclusive;
Secs. 17, 18, 20, 21, 28, 29, and 32, those parts north and east of the divide from Iron Mountain to the pass above Granite Stairway, to Lion Point, and thence to the junction of the Middle Fork San Joaquin River and Fish Creek;
Secs. 22 to 24, inclusive;
Sec. 27;
Secs. 25, 26, and 33 to 36, inclusive, those parts north of the divide between Middle Fork San Joaquin River and Fish Creek.

T. 5 S., R. 26 E., unsurveyed,
Secs. 1 and 2, those parts north of the divide between Middle Fork San Joaquin River and Fish Creek.
T. 3 S., R. 27 E.,
Sec. 31, that part south and west of the divide between Middle Fork San Joaquin River and Owens River.
T. 4 S., R. 27 E., part unsurveyed,
Secs. 6, 7, 17, 18, and 20, those parts west of the divide between Middle Fork San Joaquin River and Owens River;
Sec. 19;
Secs. 29 and 30, those parts north of the divide between Middle Fork San Joaquin River and Fish Creek.

The following-described lands within the exterior boundaries of the Plumas National Forest, California, are hereby transferred to the Lassen National Forest, effective July 1, 1952:

MOUNT DIABLO MERIDIAN

T. 28 N., R. 12 E.,
Sec. 1, lots 3, 4, and S½NW¼.
T. 29 N., R. 12 E.,
Sec. 26, SE¼SW¼ and W½SE¼;
Sec. 34, lot 8;
Sec. 35, lots 1 and 2;
Sec. 36.

The exterior boundaries of the forests involved are hereby adjusted in accordance with the transfers made by this order, and any transferred land now having a national-forest status shall become a part of the forest to which it is transferred.

This order shall not be construed as giving a national-forest status to any lands which do not now have such status, or as changing the status of any lands which now have a national-forest status.

OSCAR L. CHAPMAN,
Secretary of the Interior.

APRIL 22, 1952.

[F. R. Doc. 52-4674; Filed, Apr. 25, 1952; 8:45 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

LIST, FOR INFORMATION ONLY, OF TREATIES, AGREEMENTS AND ARRANGEMENTS

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 17th day of April 1952;

The Commission having under consideration the appendix to Part 2 of its rules and regulations; and

It appearing, that the proposed change is not substantive and does not in any way effect the requirements of any of the Commission's rules and regulations; that said change consists of the addition of information with reference to an Agreement between the United States and Cuba on the subject of the international exchange of messages between the two countries on behalf of third parties by operators of amateur radio stations; and

It further appearing, that because of the informational nature of the proposed changes, notice and public procedure thereon as prescribed by section 4 (a) of the Administrative Procedure Act is unnecessary, and that this order may be made effective immediately for the same reasons.

It is ordered, That, effective immediately, the appendix to Part 2 of the Commission's rules and regulations is amended as set forth below.

(Sec. 4, 48 Stat. 1066 as amended; 47 U. S. C. 154)

Released: April 21, 1952.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

1. The following addition should be made at the end of paragraph 1 of Appendix A to Part 2, Frequency Allocation and Treaty Matters; General Rules and Regulations, Federal Communications Commission:

Date	Series	Subject
1952	.....	Radio communications between amateur stations on behalf of third parties. Agreement between U. S. A. and Cuba effective Apr. 14, 1952. (Not yet available but to be published by Government Printing Office as a TIAS document.)

[F. R. Doc. 52-4713; Filed, Apr. 25, 1952; 8:58 a. m.]

PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

LIST, FOR INFORMATION ONLY, OF TREATIES, AGREEMENTS AND ARRANGEMENTS

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 17th day of April 1952;

The Commission having under consideration Appendix A to Part 2 of its rules and regulations; and

It appearing, that the proposed changes are not substantive and do not in any way affect the requirements of any of the Commission's rules and regulations; and

It further appearing, that because of the informational nature of the proposed changes, notice and public procedure thereon as prescribed by section 4 (a) of the Administrative Procedure Act is unnecessary, and that this order may be made effective immediately for the same reasons.

It is ordered, That, effective immediately, Appendix A to Part 2 of the Commission's rules and regulations is amended as set forth below.

(Sec. 4, 48 Stat. 1066 as amended; 47 U. S. C. 154)

Released: April 21, 1952.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

1. Add under the title of Appendix A the following: "(As of April 15, 1952)".

2. Amend introductory sentence to paragraph 1 so that it reads: "For informational purposes, the applicable Federal laws, and international treaties, agreements and arrangements in force relating to radio to which the United States is a party, are listed below."

3. Delete from paragraph 1 the entire entry relating to EAS 231, Inter-American Radio Communications Agreement, 1940.

4. Delete from paragraph 1 the entire entry relating to TS 948, General Radio Regulations (Cairo Revision, 1938) and Final Radio Protocol (Cairo Revision, 1938).

5. Amend item relating to TIAS 1901, in paragraph 1, to read as follows:

1947 TIAS 1901 International Telecommunication Convention, Final Protocol and Radio Regulations. Signed at Atlantic City, N. J., Oct. 2, 1947, superseding the International Telecommunication Convention, Madrid, 1932. Radio Regulations effective Jan. 1, 1949, except for Regulations enumerated in Article 47. However, the effective date provisions of Article 47 have been superseded by the provisions of the Agreement signed at the Extraordinary Administrative Radio Conference, Geneva, 1951 (see below). (This printing does not contain the Additional Radio Regulations, since the United States is not a party thereto. Copies of the final acts of the Atlantic City conferences which include the Additional Radio Regulations are available only from the International Telecommunication Union, Geneva, Switzerland.)

6. Add chronologically to paragraph 1 the following entry:

1949 Inter-American Radio Agreement between the United States and Canada and other American Republics.[1] (Fourth Inter-American Radio Conference). Signed at Washington, July 9, 1949. Entered into force April 13, 1952, subject to provisions of Article 13. (Not available from Government Printing Office. Available from International Telecommunication Union, Geneva, Switzerland.)

7. Add the following footnote at the end of paragraph 1:

[1] In addition, certain Resolutions and Recommendations were adopted by a number of countries, members of the International Telecommunication Union Region 2 at Washington, July 9, 1949. (Not available from Government Printing Office. Available from International Telecommunication Union, Geneva, Switzerland.)

8. Delete the following parenthetical note after the subject listing of "1949 TIAS 2175" of paragraph 1:

(Not available as of June 30, 1951, but to be published by Government Printing Office. Available through the International Telecommunication Union, Geneva, Switzerland.)

9. Delete the following parenthetical note after the subject listing of "1951 TIAS 2223" of paragraph 1:

(Not yet available but to be published by Government Printing Office as a TIAS document.)

10. Add the following entry chronologically to the tabulation in paragraph 1:

1951 TIAS 2366 Agreement between the United States of America and Mexico which assigns television frequency channels to cities within 250 miles of the United States-Mexican border. Effected by exchange of notes dated Aug. 10, 1951, and Sept. 26, 1951. (Not available from Government Printing Office.)

11. Add the following entry chronologically to the tabulation in paragraph 1:

1951 Agreement signed at the Extraordinary Administrative Radio Conference to bring into force the Table of Frequency Allocations and other provisions of the Radio Regulations (Atlantic City, 1947) not yet in force. Signed at Geneva, Dec. 3, 1951. Entered into force Mar. 1, 1952. Not available at Government Printing Office. Expected to be available from International Telecommunication Union, Geneva, Switzerland, at an early date.)

12. Add chronologically to paragraph 2 the following entry:

1938 TS 948 General Radio Regulations (Cairo Revision, 1938) and Final Radio Protocol (Cairo Revision, 1938) annexed to the International Telecommunication Convention of Madrid, 1932. Superseded by) Radio Regulations annexed to the International Telecommunication Convention, Atlantic City, 1947.

13. Add chronologically to paragraph 2 the following entry:

1940 EAS 231 Inter-American Radio Communications Agreement between the United States, Canada and other American Republics. (Second Inter-American Radio Conference), signed at Santiago, Chile, Jan. 26, 1940.

14. Amend the first entry in paragraph 3 so that it reads as follows:

1948 International Convention for the Safety of Life at Sea and annexed Regulations. Signed at London, June 10 1948. Enters into force Nov. 19, 1952, subject to the provisions of Article 11 of the Convention.

15. Delete from paragraph 3 the entire entry relating to 1949 Inter-American Radio Agreement, including footnote 2 at end of paragraph 3.

16. In paragraph 4 delete the entire entry which is constituted as follows:

1949 Frequency Allotment Plan for the Aeronautical Mobile Service and Final Agreement. Agreement between the United States of America and Other Powers. Signed at Geneva, Oct. 14, 1949. (Not available from Government Printing Office. Available through the International Telecommunication Union, Geneva, Switzerland.)

17. Add exponent 3 after "Montreal" in paragraph 4, under the subject listing for 1951 so that it reads:

1951 ICAO Communication Division, Fourth Session, Montreal.[3]

18. In footnote under paragraph 4, change address from "Dominion Square Building, Montreal, Canada", to:

International Aviation Building, 1080 University Street, Montreal, Canada.

[F. R. Doc. 52-4710 Filed, Apr. 25, 1952; 8:57 a. m.]

PART 7—STATIONS ON LAND IN THE MARITIME SERVICES

SPECIAL REQUIREMENTS FOR RADIOTELEPHONE TRANSMITTERS

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 17th day of April 1952;

The Commission, having under consideration § 7.137 (a) of its rules requiring, with certain exceptions not here applicable, that each telephone transmitter first licensed by the Commission after January 1, 1952, for use at a coast station, and all radiotelephone transmitters licensed by the Commission after July 1, 1953, for use at a coast station shall be equipped with a device which will automatically prevent modulation in excess of 100 percent.

It appearing, that the Commission now has on hand numerous applications requesting authorizations for the operation of such stations in Alaska, using transmitters not equipped with modulation limiters; and

It further appearing, that prospective licensees of coast stations in Alaska have been unaware of the application of the foregoing rule to such stations in Alaska, and that because of the location of many of these proposed stations it would not be feasible to modify existing equipment in compliance with the foregoing requirement or to obtain new equipment which would incorporate the modulation limiter prior to the beginning of the Spring season of operations in Alaska; and

It further appearing, that it would be in the public interest to defer the application of this requirement to coast stations in Alaska for a period during which interested persons would be made more fully aware of the new requirement and afforded an opportunity to comply therewith; and

It further appearing, that in view of the foregoing it would be impracticable to comply with the public notice and procedure provided by section 4 of the Administrative Procedure Act and for this reason and also because an existing restriction would thereby be relieved, the amendment herein ordered may be made effective immediately;

It is ordered, That effective immediately and pursuant to the authority contained in sections 303 (e) and (r) of the Communications Act of 1934, as amended, § 7.137 (a) of the Commission's rules is amended as follows:

1. Insert a footnote following the phrase "January 1, 1952" to read as follows:

[3] With respect to stations in Alaska this date shall be January 1, 1953.

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U. S. C. 303)

Released: April 21, 1952.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-4712; Filed, Apr. 25, 1952; 8:58 a. m.]

[Docket No. 10108]

PART 11—INDUSTRIAL RADIO SERVICES

PART 16—LAND TRANSPORTATION RADIO SERVICES

USE OF MOBILE SERVICE FREQUENCIES BY FIXED STATIONS OPERATING OUTSIDE THE CONTINENTAL LIMITS OF THE UNITED STATES

At a meeting of the Federal Communications Commission held at its offices in Washington, D. C., on the 17th day of April 1952;

The Commission having under consideration the proposed rule making in the above entitled matter, which contemplates the use of mobile service frequencies by fixed stations in the Industrial and Land Transportation Radio Services operating outside the continental limits of the United States.

It appearing, that in accordance with the requirements of section 4 (a) of the Administrative Procedure Act, a general notice of proposed rule making, which made provision for the submission of written comments by interested parties, was duly published in the FEDERAL REGISTER, and that the period for filing comments has expired;

It further appearing, that only two comments were filed, one by National Forest Industries Communications, the other by the Hawaiian Electric Company, Limited; both favored the adoption of the amendments as proposed;

It further appearing, that since the effect of the amendments is to grant an exemption, they may be made effective immediately;

It is ordered, That, pursuant to the authority contained in sections 4 (i), 303 (b) (c) (d) (f) and (r) of the Communications Act of 1934 as amended, Parts 11 and 16 of the Commission's rules are amended by adding a new paragraph (g) to §§ 11.57 and 16.57 as follows:

§ 11.57 *Policy governing the assignment of frequencies.* * * *

(g) Outside the continental limits of the United States and waters adjacent thereto, frequencies above 152 Mc, listed elsewhere in this part as available for assignment to Base Stations or Mobile Stations in particular Services also are available for assignment to Operational Fixed Stations in the same Service on condition that no harmful interference be caused to mobile service operations.

§ 16.57 *Selection of frequencies.* * * *

(g) Outside the continental limits of the United States and waters adjacent thereto, frequencies above 152 Mc, listed elsewhere in this part as available for assignment to Base Stations or Mobile Stations in particular Services also are available for assignment to Operational Fixed Stations in the same Service on condition that no harmful interference be caused to mobile service operations.

It is further ordered, That these amendments shall become effective immediately.

(Sec. 4, 48 Stat. 1066 as amended; 47 U. S. C. 154. Interprets or applies sec. 303, 48 Stat. 1082; 50 Stat. 191; 47 U. S. C. 303)

Released: April 21, 1952.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-4711; Filed, Apr. 25, 1952; 8:57 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 58]

INSTRUCTIONS GOVERNING DAIRY PLANTS OPERATING UNDER UNITED STATES DEPARTMENT OF AGRICULTURE SUPERVISION AND INSPECTION

NOTICE OF WITHDRAWAL OF PROPOSED RULE MAKING

Notice is hereby given that the United States Department of Agriculture is withdrawing the proposed revision of Instructions Governing Dairy Plants Operating Under United States Department of Agriculture Supervision and Inspection, which was published under notice of proposed rule making in the FEDERAL REGISTER (17 F. R. 1221), dated February 8, 1952.

The proposed instructions, which were intended to supersede the currently effective provisions of § 55.103 (7 CFR Part 55), insofar as applicable to "Instructions Governing Plants Operating as Official Plants Processing and Packaging Dairy Products," will be given further study and consideration, and § 55.103 shall presently remain in effect. Any proposed subsequent revisions will be published as proposed rule making, with sufficient period allowed for interested parties to submit written data, views, or arguments for consideration in connection with any revision of these instructions.

Done at Washington, D. C., this 23d day of April 1952.

[SEAL] ROY W. LENNARTSON,
Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 52-4733; Filed, Apr. 25, 1952; 8:54 a. m.]

[7 CFR Part 58]

U. S. STANDARDS FOR GRADES OF BUTTER

NOTICE OF POSTPONEMENT OF PROMULGATION OF PROPOSED RULE MAKING

Notice is hereby given that the United States Department of Agriculture is postponing the promulgation of the proposed revision of the United States Standards for Grades of Butter, as published under notice of proposed rule making in the FEDERAL REGISTER (17 F. R. 1224), dated February 8, 1952.

The proposed revision of the United States Standards for Grades of Butter, which were intended to supersede the currently effective "Official United States Standards for Grades of Creamery Butter," (8 F. R. 1642, dated February 2, 1943), will be given further study and consideration, and the present Standards for Grades of Creamery Butter shall presently remain in effect. If there are any proposed subsequent revisions, they will be published as Proposed Rule Making, with a sufficient period allowed for interested parties to submit data, views, or arguments for consideration in connection with such revision of the Standards. However, any further action with respect to promulgation of these revised Standards will be postponed until the 1952 "in-and-out" of storage movement of butter has been essentially completed.

Done at Washington, D. C., this 23d day of April 1952.

[SEAL] ROY W. LENNARTSON,
Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 52-4734; Filed, Apr. 25, 1952; 8:54 a. m.]

DEPARTMENT OF COMMERCE

Civil Aeronautics Administration

[14 CFR Part 501]

AIRCRAFT REGISTRATION CERTIFICATES

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the Administrator contemplates amending § 501.4 to read in the manner indicated hereinafter. All interested persons who desire to submit written data, views, or arguments for consideration by the Administrator of Civil Aeronautics in connection with the proposed amendment should send them to the Civil Aeronautics Administration, Office of Aviation Safety, Washington 25, D. C., within 30 days after publication of this notice in the FEDERAL REGISTER.

1. Section 501.4 will be amended to read:

§ 501.4 *Issuance of registration certificate*—(a) *New or previously unregistered aircraft.* A registration certificate will be issued by the Administrator for aircraft not previously registered under the provisions of the Civil Aeronautics Act of 1938, as amended, or the laws of any foreign country, if the applicant:

(1) Mails or delivers a duly executed application for registration to the Administrator accompanied by the required registration fee (see § 406.14 (c) of this chapter); and

(2) Certifies that applicant is a citizen of the United States;[1] and that the aircraft is not validly registered under the laws of any foreign country; and

(3) Submits with the application proof satisfactory to the Administrator that the applicant is the owner of such aircraft.

(b) *Aircraft previously registered in the United States.* A registration certificate will be issued by the Administrator for aircraft which have been last registered under the provisions of the Civil Aeronautics Act of 1938, as amended, if:

(1) The applicant mails or delivers a duly executed application for registration to the Administrator accompanied by the required registration fee (see § 406.14 (c) of this chapter); and

(2) The applicant certifies that he is a citizen of the United States; and

(3) The applicant submits with the application for registration a conveyance which meets the requirements prescribed in Part 503 of this chapter, evidencing applicant's ownership of the aircraft; and

(4) The conveyance submitted with the above application establishes in the recordation system of the Administrator, title to the aircraft in the applicant; *Provided,* That this requirement shall not be applicable to contracts of conditional sale in which the seller is the recorded owner of the aircraft: *And provided further,* That if for good reason an applicant for registration cannot comply with the provisions of subparagraph (3) of this paragraph and this subparagraph, other proof of ownership satisfactory to the Administrator must be submitted.

(c) *Aircraft previously registered in foreign countries.* A registration certificate will be issued by the Administrator for aircraft which have been last registered under the laws of a foreign country if the applicant:

(1) Complies with the requirements of paragraph (a) of this section; and

(2) Submits a statement signed by a proper official of the country of foreign registry to the effect that all holders of recorded rights against the aircraft have been satisfied or have consented to the transfer of registry; or

(3) Submits evidence satisfactory to the Administrator that the foreign registry has terminated or is invalid,[2] or that the country of foreign registry does not supply information with respect to recorded rights in aircraft.

[1] As defined by sec. 1 (13) of the Civil Aeronautics Act of 1938, as amended, "'Citizen of the United States' means (a) an individual who is a citizen of the United States or of one of its possessions, or (b) a partnership of which each member is such an individual, or (c) a corporation or association created or organized under the laws of the United States or of any State, Territory or possession of the United States, of which the president and two-thirds or more of the board of directors and other managing officers thereof are such individuals and in which at least 75 per centum of the voting interest is owned or controlled by persons who are citizens of the United States or of one of its possessions."

[2] The United States is a party to and has ratified the Convention on International Recognition of Rights in Aircraft, signed at Geneva on June 19, 1948. Ratification of this Convention by other signatory countries may result in limiting the application of this clause to cases in which ownership in the country of export has been terminated by a sale in execution carried out in conformity with the provisions of the Convention.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 501, 52 Stat. 1005, as amended; 49 U. S. C. 521)

[SEAL] F. B. LEE,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 52-4690; Filed, Apr. 25, 1952; 8:50 a. m.]

CIVIL AERONAUTICS BOARD

[14 CFR Part 60]

AIR TRAFFIC RULES; OPERATION ON CIVIL AIRWAYS

NOTICE OF PROPOSED RULE MAKING

Pursuant to authority delegated by the Civil Aeronautics Board to the Bureau of Safety Regulation, notice is hereby given that the Bureau will propose to the Board an amendment to Part 60 of the Civil Air Regulations in substance as hereinafter set forth.

Interested persons may participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should be submitted in duplicate to the Civil Aeronautics Board, attention Bureau of Safety Regulation, Washington 25, D. C. In order to insure their consideration by the Board before taking further action on the proposed rule, communications must be received by May 23, 1952. Copies of such communications will be available after May 28, 1952, for examination by interested persons at the Docket Section of the Board, Room 5412, Commerce Building, Washington 25, D. C.

At the present time § 60.45 of Part 60 of the Civil Air Regulations provides that aircraft operating along a civil airway shall be flown to the right of the center line of the airway. At the time this requirement was adopted, the civil airway system was based on the use of the four-course low/medium frequency range system. The purpose of this provision was to provide lateral separation of aircraft using the airways.

Recently, however, the United States adopted the VHF omnirange (VOR) as the basis for the future national airway system. The resulting gradual transition from the low/medium frequency four-course ranges to the new omniranges has now progressed to the stage whereby a number of VOR airways will be designated for use by June 1, 1952, or shortly thereafter. The VOR airway pattern is based upon the principle that aircraft will fly along the center line of the designated VOR airway and lateral separation will be provided by assigning different VOR airways to different aircraft flying between the same point.

In order to preclude, insofar as practicable, any apparent conflict in the regulations governing flight along airways, the need for right-side traffic along L/MF airways has been re-examined. In so doing, it is found that Air Traffic Control, in providing lateral separation on L/MF airways for aircraft operating under instrument flight rules, does not rely on the provisions of § 60.45, but actually determines that the aircraft are and will remain on opposite sides of the same course of a particular facility during the time separation is required. Therefore, § 60.45 as presently written is not required in order to effect Air Traffic Control separation under instrument flight rules.

It is therefore proposed to amend § 60.45 of Part 60 of the Civil Air Regulations to read as follows:

§ 60.45 *Operation on civil airways.* Aircraft operating along civil airways shall be flown on the center line of such airways, unless otherwise authorized by Air Traffic Control.

This amendment is proposed under authority of Title VI of the Civil Aeronautics Act of 1938, as amended. The proposal may be changed in the light of comments received in response to this notice of proposed rule making.

(Sec. 205 (a), 52 Stat. 984; 49 U. S. C. 425 (a). Interpret or apply secs. 601-610, 52 Stat. 1007-1012; 49 U. S. C. 551-560; 62 Stat. 1216)

Dated: April 22, 1952, at Washington, D. C.

[SEAL] JOHN M. CHAMBERLAIN,
Director.

[F. R. Doc. 52-4691; Filed, Apr. 25, 1952; 8:50 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 1]

[Docket No. 10186]

PRACTICE AND PROCEDURE

NOTICE OF PROPOSED RULE MAKING

In the matter of amendment of § 1.373 of the Commission rules and regulations; Docket No. 10186.

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. The Commission proposes to amend § 1.373 of its rules by the addition thereto of a footnote, as follows:

[1] a. For the time being applications shall be divided into two lines. The following applications will be placed in Line I:

(1) Applications for construction permit or modification of construction permit accompanied by affidavit of a qualified radio engineer showing, by reference to the Commission Standards of Good Engineering Practice or to actual measurements made in accordance with the methods prescribed in the Commission Standards of Good Engineering Practice, that daytime or nighttime at least 25 per cent of the total land area within the proposed interference free contour (0.5 mv/m or higher) is not within the interference free contour of any standard broadcast station.

(2) Applications for construction permit or modification of construction permit proposing an operation which daytime or nighttime, would provide the first local standard broadcast service to the community in which the station is proposed to be located.

All other applications will be placed in Line II. In determining whether an application should be placed in Line I the services authorized in outstanding construction permits will be considered as existing services except that where the application in question for modification of construction permit the service authorized by the construction permit proposed to be modified will be disregarded and that an application placed in Line I will not be removed therefrom by reason of favorable action on co-pending application taken after the effective date of this footnote. If, upon examination of an application placed in Line I pursuant to (1) above, it appears that in fact less than 25 per cent of the proposed service area is without service, the application will be returned to Line II. The applicant will receive notice of such action together with a statement of the reasons therefor.

b. For the time being only applications in Line I will be processed. At such time as processing of Line I applications becomes reasonably current, processing of Line II applications will be commenced and public notice of such action will be given. However, Line I applications will continue to be given priority and only such personnel as are not required to keep Line I reasonably current will be assigned to Line II.

3. In recent months due to personnel shortages and the press of other business, the Commission has been able to process only a small portion of the applications for new or changed standard broadcast facilities which have been filed. Accordingly, it appears necessary to concentrate the limited staff available on those applications which promise the most significant extension of the standard broadcast service. The foregoing amendment is proposed for this purpose. The Commission has received petitions filed by the following applicants on the dates indicated requesting changes in the Commission's processing procedures similar to those proposed above: Tri-County Broadcasting Company, Inc., Hawkinsville, Georgia, November 7, 1951; Kent-Sussex Broadcasting Company, Milford, Delaware, January 7, 1952; KNOX Broadcasting Company, Rockland, Maine, February 28, 1952. The Commission has considered these petitions and is of the opinion that the amendments herein proposed, while differing in detail from the suggestions made in the petitions, will substantially achieve the objectives sought by petitioners. Accordingly, no further action with respect to these petitions is contemplated. Petitioners may of course file comments in this proceeding as provided for below.

4. Authority for the adoption of the proposed amendment is contained in sections 1, 4 (i), 4 (j), and 307 (b) of the Communications Act of 1934, as amended.

5. Any interested party who is of the opinion that the proposed amendment should not be adopted or should not be adopted in the form set forth herein may file with the Commission on or before May 12, 1952 a written statement or brief setting forth his comments. Comments in support of the proposed amendment may also be filed on or before the same date. Comments or briefs in reply to the original comments may be filed within 10 days from the last day for filing said original comments or briefs. The Commission will consider all such comments that are submitted

before taking action in this matter, and if any comments appear to warrant the holding or a hearing or oral argument, notice of the time and place of such hearing or oral argument will be given.

6. In accordance with the provisions of § 1.784 of the Commission rules and regulations, an original and 14 copies of all statements, briefs, or comments shall be furnished the Commission.

Adopted: April 17, 1952.

Released: April 18, 1952.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-4721; Filed, Apr. 25, 1952; 8:53 a. m.]

[47 CFR Parts 2, 9]

[Docket No. 10177]

FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; AERONAUTICAL SERVICES

NOTICE OF PROPOSED RULE MAKING

In the matter of amendment of § 2.104 and § 9.511 of Part 2 and Part 9 of the Commission's rules, respectively, to provide certain frequencies within the band 108.1–112.0 Mc for use by omni-directional radio ranges; Docket No. 10177.

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. It is proposed to amend Part 2 and Part 9 of the Commission's rules governing, respectively, frequency allocations and radio treaty matters, and aeronautical services, in order to permit the use of the even-tenth megacycles frequencies within the band 108.1–112.0 Mc. for omni-directional radio ranges. This proposal is predicated on the increased need which has developed for such facilities and the overcrowded condition existing in the 112–118 Mc band allocated for use by omni-directional radio ranges. This proposal parallels the recommendations which the Radio Technical Commission for Aeronautics made on this subject.

3. The authority for this amendment, the text of which appears below, is contained in sections 4 (i), 303 (b), (c) and (r) of the Communications Act of 1934, as amended.

4. Any interested persons may file with the Commission on or before May 12, 1952, a written statement or brief in support, opposition, or for modification of the proposed amendment. Within fifteen days from the last day for filing of the original comments or briefs, comments or briefs in reply thereto may be filed. The Commission will consider such comments before taking action in this matter. If any comments will appear to warrant the holding of an oral argument or hearing notice of the time and place therefor will be given.

5. In accordance with the provisions of § 1.764 of the Commission's rules, original and fourteen copies of all statements, briefs or comments shall be furnished to the Commission.

Adopted: April 17, 1952.

Released: April 18, 1952.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

1. Section 2.104 is proposed to be amended as follows:

Delete the present allocation within the band 108.1–112.0 mc., which appears in columns 10 and 11 of the tabulation of frequency allocations contained in that section, and substitute therefor the following:

Frequency (mc)	Nature {of services / of stations}
10	11
108.1	Localizer.
108.2	Omni-directional radio range.
108.3	Localizer.
108.4	Omni-directional radio range.
108.5	Localizer.
108.6	Omni-directional radio range.
108.7	Localizer.
108.8	Omni-directional radio range.
108.9	Localizer.
109.0	Omni-directional radio range.
109.1	Localizer.
109.2	Omni-directional radio range.
109.3	Localizer.
109.4	Omni-directional radio range.
109.5	Localizer.
109.6	Omni-directional radio range.
109.7	Localizer.
109.8	Omni-directional radio range.
109.9	Localizer.
110.0	Omni-directional radio range.
110.1	Localizer.
110.2	Omni-directional radio range.
110.3	Localizer.
110.4	Omni-directional radio range.
110.5	Localizer.
110.6	Omni-directional radio range.
110.7	Localizer.
110.8	Omni-directional radio range.
110.9	Localizer.
111.0	Omni-directional radio range.
111.1	Localizer.
111.2	Omni-directional radio range.
111.3	Localizer.
111.4	Omni-directional radio range.
111.5	Localizer.
111.6	Omni-directional radio range.
111.7	Localizer.
111.8	Omni-directional radio range.
111.9	Localizer.
112.0	Omni-directional radio range.

2. Section 9.511 (a) is proposed to be amended to read as follows:

§ 9.511 *Frequencies available.* (a) Instrument Landing Localizer with simultaneous radiotelephone channel. The frequencies:

108.1	109.1	110.1	111.1
108.3	109.3	110.3	111.3
108.5	109.5	110.5	111.5
108.7	109.7	110.7	111.7
108.9	109.9	110.9	111.9
109.2	110.2	111.2	
109.4	110.4	111.4	
109.6	110.6	111.6	
109.8	110.8	111.8	
110.0	111.0	112.0	

3. Section 9.511 (d) is proposed to be amended to read as follows:

(d) Airway track guidance (ranges): 112.1 megacycles through 117.9 megacycles and the following frequencies in the 108–112 megacycles band:

[F. R. Doc. 52-4719; Filed, Apr. 25, 1952; 8:53 a. m.]

[47 CFR Parts 2, 12]

[Docket No. 10021]

FREQUENCY ALLOCATION AND RADIO TREATY MATTERS; AMATEUR RADIO SERVICE

FURTHER NOTICE OF PROPOSED RULE MAKING

In the matter of amendment of § 2.104 (a) of Part 2 and § 12.111 of Part 12 of the rules and regulations of the Federal Communications Commission; Docket No. 10021.

1. Notice is hereby given of further proposed rule making in the above-entitled matter.

2. On July 26, 1951, the Commission published a notice of proposed rule making which proposed re-distribution of frequencies in the band 1800–2000 kc for use by amateurs on a shared basis with Loran to the extent that amateurs in the State of Minnesota were concerned. It was proposed that instead of being split into two frequency areas, Minnesota be included in the group of states then designated as "West of the Mississippi River." An appropriate amendment of footnote 2 of § 2.104 (a) of Part 2 was included in that notice. During the pendency of the described rule making proceedings, the Commission has received further information with respect to amateur interference to Loran and the possibility of making additional changes in the geographical areas, frequency distribution and operating limitations previously in effect which would make possible greater utilization of the frequency band 1800–2000 kc by the amateur service, while continuing to maintain necessary protection to the Loran service. It is therefore proposed to enlarge the proceedings in Docket No. 10021 to cover re-designation of geographical areas with respect to use of frequencies in the band 1800–2000 kc by amateurs, to re-allocate frequencies in that band to such areas, and to re-specify the operating limitations applicable in each such area, not only with respect to the State of Minnesota but with respect to other parts of the United States, its territories, and possessions as well. The amendments proposed are set forth below.

3. The proposed amendments are issued under the authority of sections 4 (i) and 303 (c) and (r) of the Communications Act of 1934, as amended.

4. Any interested person who is of the opinion that the proposed amendments should not be adopted, or should not be adopted in the form set forth, may file with the Commission on or before July 1, 1952, a written statement or brief setting forth his comments. At the same time any person who favors the amendments as set forth may file a statement

in support thereof. Comments or briefs in reply to the original comments or briefs may be filed within fifteen days from the last day for filing the said original comments or briefs. The Commission will consider all such comments, briefs, and statements before taking final action. If any comments are received which appear to warrant the Commission in holding an oral argument before final action is taken, notice of the time and place of such oral argument will be given such interested parties.

5. In accordance with the provisions of § 1.764 of the Commission's rules, an original and fourteen copies of all statements, briefs, or comments shall be furnished the Commission.

Adopted: April 17, 1952.

Released: April 18, 1952.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

1. Section 2.104 (a), "Table of frequency allocations", is proposed to be amended in the following particulars:

1. Amend all entries in columns 7, 8, 9 and 11 opposite the frequency band 1800–2000 kc in column 5 to read as follows:

7	8	9	10	11
1800–2000 (NG23).	a. Amateur. b. Radionavigation.	a. Amateur. b. Loran.		a. Amateur. b. Loran.

2. Delete footnotes 3 and 4, and insert new footnote NG23, to read as follows:

NG23 (a) The amateur service may use, in any area, whichever bands, 1800–1825, 1875–1900, 1900–1925 or 1975–2000 kc, are not required for Loran in that area, in accordance with the following conditions:

(1) The use of these frequencies by the amateur service shall not be a bar to the expansion of the radionavigation (Loran) service;

(2) The amateur service shall not cause harmful interference to the radionavigation (Loran) service;

(3) Only types A1 and A3 emission shall be employed;

(4) Amateur operation shall be limited to:

Area	Bands (kc)	DC plate input power in watts	
		Day	Night
Minnesota, Iowa, Missouri, Arkansas, Louisiana, and States to the east of these States, including District of Columbia.	1800–1825 1875–1900	500	200
North Dakota, South Dakota, Nebraska, Colorado, New Mexico, and States to the west of these States, except State of Washington.	1900–1925 1975–2000	500	200
State of Washington	1900–1925 1975–2000	200	50
Texas, Oklahoma, and Kansas	1800–1825 1875–1900	200	75
Hawaiian Islands	1900–1925 1975–2000	500	200
Puerto Rico and Virgin Islands	1800–1825 1875–1900	500	200
Alaska, Guam and other territories and possessions of the United States not listed above.	None	(1)	(1)

[1] No operation.

(b) The provisions of (a) above shall be considered as temporary in the sense that they shall remain subject to cancellation or to revision, in whole or in part, by order of the Commission without hearing whenever the Commission shall deem such cancellation or revision to be necessary or desirable in the light of the priority within this band of the Loran system of radionavigation.

2. Section 12.111 (a) (1) (i), "1800 to 2000 kc," is proposed to be amended to read as follows:

(i) 1800 to 2000 kc: Use of this band is on a shared basis with the Loran system of radionavigation. The amateur service may use, in any area, whichever bands, 1800–1825, 1875–1900, 1900–1925 or 1975–2000 kc, are not required for Loran in that area, in accordance with the following conditions:

(a) The use of these frequencies by the amateur service shall not be a bar to the expansion of the radionavigation (Loran) service.

(b) The use of these frequencies by stations in the amateur service shall not cause harmful interference to the Loran system of radionavigation. If an amateur station causes such interference, the station licensee shall, as directed by the Commission, immediately cease operation on the frequencies involved.

(c) Only type A1 or A3 emission shall be employed.

(d) Amateur operation shall be limited to the following areas, to the indicated frequency bands within each such area, and to the indicated maximum plate power input to the tube or tubes supplying energy to the antenna during day and night hours, respectively, on such frequencies:

Area	Authorized bands (kc)	DC plate input power in watts	
		Day	Night
Minnesota, Iowa, Missouri, Arkansas, Louisiana, and States to the east of these States, including District of Columbia.	1800–1825 1875–1900	500	200
North Dakota, South Dakota, Nebraska, Colorado, New Mexico, and States to the west of the States except the State of Washington.	1900–1925 1975–2000	500	200
State of Washington	1900–1925 1975–2000	200	50
Texas, Oklahoma, and Kansas	1800–1825 1875–1900	200	75
Hawaiian Islands	1900–1925 1975–2000	500	200
Puerto Rico and Virgin Islands	1800–1825 1875–1900	500	200
Alaska, Guam and other territories and possessions of the United States not listed above.	None	(1)	(1)

[1] No operation.

(e) The provisions of this subparagraph shall be considered as temporary in the sense that they shall remain subject to cancellation or to revision, in whole or in part, by order of the Commission without hearing whenever the Commission shall deem such cancellation or revision to be necessary or desirable in the light of the priority within this band of the Loran system of radionavigation.

[F. R. Doc. 52-4718; Filed, Apr. 25, 1952; 8:52 a. m.]

[47 CFR Part 8]

[Docket No. 10176]

LIFEBOAT RADIO EQUIPMENT

NOTICE OF PROPOSED RULE MAKING PROCEEDINGS

In the matter of a requirement that lifeboat radio equipment compulsorily provided under the International Convention on Safety of Life at Sea, London, 1948, include provision for reception in the high frequency band.

1. Regulations 13 and 14 of Chapter IV of the International Convention on Safety of Life at Sea respectively specify the radio equipment required for motor lifeboats and nonmotor lifeboats. Both regulations expressly require a medium frequency transmitter and receiver, and in the case of "new equipment" a high frequency transmitter. The regulations are silent with respect to any requirement for an associated high frequency receiver. There is some question as to whether paragraph 601 of the Radio Regulations annexed to the International Telecommunications Convention, Atlantic City, 1947, should be interpreted as imposing such a requirement.

2. Although the Commission is of the opinion that there is some doubt as to whether there is an international treaty obligation for a high frequency lifeboat receiver, it is felt that such equipment would serve a useful purpose by permitting reception of radio signals over a distance commensurate with the range of the required high frequency lifeboat transmitter, and by eliminating the ne-

cessity for cross-band operation on the medium distress frequency (500 kc) for communication purposes. This is particularly true in view of the fact that it seems technically feasible to incorporate into the required lifeboat medium frequency receiver, at comparatively small cost, provision for reception on the high frequencies.

3. Accordingly, under the authority of sections 303 (r), 355, 356, and 359 of the Communications Act of 1934, as amended, notice is hereby given of rule making proceedings in the above-described matter.

4. Any interested person who desires to express views in this matter may file with the Commission on or before May 17, 1952, a written statement setting forth his comments. Within fifteen (15) days from the last day for filing of the original comments, comments in reply thereto may be filed. The Commission will consider such comments before taking action in this matter. If any comments appear to warrant the holding of an oral argument, notice of the time and place therefor will be given. An original and three (3) copies of all statements shall be furnished.

Adopted: April 17, 1952.

Released: April 18, 1952.

By direction of the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 52-4717; Filed, Apr. 25, 1952; 8:52 a. m.]

[47 CFR Part 10]

[Docket No. 10174]

PUBLIC SAFETY RADIO SERVICES

NOTICE OF PROPOSED RULE MAKING

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. It is proposed to amend Subpart J of Part 10, "Public Safety Radio Services", as set forth below, to state more clearly the terms and conditions of eligibility for authorizations in the Special Emergency Radio Service; to describe the manner and extent of permissible use of facilities in this service in greater detail and in respect to each type of eligible; and to provide stand-by facilities for use of persons who operate private wire line communication circuits for transmission of messages of a nature that any disruption thereof would endanger life or public property.

3. The proposed amendments are issued under the authority of sections 4 (i) and 303 (b) and (r) of the Communications Act of 1934, as amended.

4. Any interested person may file with the Commission, on or before June 17, 1952, a written statement or brief in support of, in opposition to, or recommending modification of the proposed amendments.

5. Comments or briefs in reply to the original comments or briefs may be filed within 15 days from the last day for filing the described original comments or briefs. The Commission will consider all comments, briefs, and statements before taking final action. If any comments are received which appear to warrant the Commission in holding an oral argument before final action is taken, notice of the time and place of such oral argument will be given such interested parties.

6. In accordance with the provisions of § 1.764 of the Commission's rules, an original and 14 copies of all statements, briefs, or comments shall be filed.

Adopted: April 17, 1952.

Released: April 18, 1952.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] T. J. SLOWIE, *Secretary.*

SUBPART J—SPECIAL EMERGENCY RADIO SERVICE

SUBPART J—SPECIAL EMERGENCY RADIO SERVICE

§ 10.451 *Availability of service.* Special Emergency Radio Service is available only to the extent and for the purposes described in succeeding sections of this subpart. The eligibility requirements, classes of stations available to each eligible group, permissible communications in accordance with eligibility, and other applicable conditions of use are set forth as separate sections of this subpart.

§ 10.452 *Disaster relief organizations*—(a) *Eligibility.* Organizations established for disaster relief purposes and which have a disaster communications plan involving the use of radio communication are eligible in this service.

(b) *Eligibility showing.* The initial application from a disaster relief organization shall be accompanied by a copy of the charter or other authority under which the organization was established and a copy of the communications plan with a full explanation as to how the requested radio facilities would be used under such plan and integrated into any other communication facilities which normally would be available to assist in the alleviation of the disaster condition.

(c) *Class and number of stations available.* Disaster relief organizations may be authorized to operate an unlimited number of base, mobile and fixed stations.

(d) *Permissible communications.* Except for transmissions which are necessary for drills and tests as permitted by § 10.151 (e), stations licensed to disaster relief organizations may be used only for the transmission of communications relating to the safety of life or property and the alleviation of the emergency situation during periods of actual or impending disaster, and until substantially normal conditions are restored.

§ 10.453 *Physicians and veterinarians*—(a) *Eligibility.* Physicians and veterinarians are eligible in this service provided that the applicant can qualify under the following conditions:

(1) The applicant is a physician or veterinarian having a regular practice in a rural area.

(2) For the purpose of this part a rural area is considered to be any area outside of the established or accepted boundaries of towns or communities having a population in excess of 2,500 inhabitants.

(b) *Eligibility showing.* The initial application from a physician or veterinarian shall be accompanied by a statement in sufficient detail to permit a ready determination of the applicant's eligibility. Any subsequent applications may refer to information previously filed if there has been no change in the status of the applicant's eligibility. In the event changes have occurred which affect the original eligibility statements, a new showing must accompany the application. The initial eligibility showing must contain as a minimum the information indicated below:

(1) A physician or veterinarian desiring to establish eligibility based on a rural area practice shall describe the radio communication facilities desired and the rural area to be served.

(c) *Class and number of stations available.* Each physician or veterinarian normally may be authorized to operate not more than one base station and two mobile units. Additional base stations or mobile units will be authorized only in exceptional circumstances when the applicant can show a specific need therefor.

(d) *Permissible communications.* Except for test transmissions as permitted by § 10.151 (e), stations licensed to physicians or veterinarians may be used only for the transmission of messages pertaining to the safety of life or property and urgent messages relating to the medical duties of the licensee.

§ 10.454 *Ambulance operators and rescue organizations*—(a) *Eligibility.* Persons or organizations operating an emergency ambulance service or rescue squad are eligible in this service.

(b) *Eligibility showing.* The initial application from a person or organization operating an ambulance service or rescue squad shall be accompanied by a statement describing the radio communication facilities desired and indicating how they would be used to enhance the safety of human life in the service being rendered. The statement also shall indicate the number of vehicles actually engaged in the emergency operation.

(c) *Class and number of stations available.* Each ambulance operator or rescue squad normally may be authorized to operate not more than one base station and a number of mobile units, excluding mobile units of the hand or pack carried type, not in excess of the number of vehicles actually engaged in the emergency operation. Mobile units of

the hand carried or pack carried type may be authorized to an extent not to exceed two such units for each radio equipped ambulance or rescue squad vehicle. Additional base stations or mobile units will be authorized only in exceptional circumstances when the applicant can show a specific need therefor.

(d) *Permissible communications.* Except for test transmissions as permitted by § 10.151 (e), stations licensed to ambulance operators or rescue squads may be used only for the transmission of messages pertaining to the safety of life or property and urgent messages necessary for the rendition of an efficient ambulance or emergency rescue service.

§ 10.455 *Beach patrols*—(a) *Eligibility.* Persons or organizations operating beach patrols having responsibility for life saving activities are eligible in this service.

(b) *Eligibility showing.* The initial application from a person or organization operating a beach patrol shall be accompanied by a statement describing the radio communication facilities desired and the area served by the beach patrol. The statement shall also clearly indicate the proposed method of operation and the number and classes of stations required.

(c) *Class and number of stations available.* Eligibles in this category will be authorized to operate base, mobile, and fixed stations in the stated area served by the beach patrol. The number of such stations requested shall be fully justified in the eligibility showing.

(d) *Permissible communications.* Except for test transmissions as permitted by § 10.151 (e), stations licensed to persons or organizations operating beach patrols may be used only for the transmission of messages pertaining to the safety of life or property.

§ 10.456 *School buses*—(a) *Eligibility.* Persons or organizations operating school buses having regular routes into rural areas are eligible in this service.

(b) *Eligibility showing.* The initial application from a person or organization operating a school bus service shall be accompanied by a statement describing the radio communication facilities desired. The statement shall also indicate the school or schools being served and describe the area in which the service is operated. If the applicant is not a government subdivision the statement shall indicate the authority under which the school buses are being operated and the tenure of any contractual agreement in effect.

(c) *Class and number of stations available.* Each school bus operator normally may be authorized to operate not more than one base station and a number of mobile units not in excess of the total of the number of buses and maintenance vehicles regularly engaged in the school bus operation. Additional base stations or mobile units will be authorized only in exceptional circumstances when the applicant can show a specific need therefor.

(d) *Permissible communications.* Except for test transmissions as permitted by § 10.151 (e), stations licensed to school bus operators may be used only for the transmission of messages pertaining to the safety of life or property and urgent messages relating to buses which have become inoperative on regular runs.

§ 10.457 *Communication standby facilities*—(a) *Eligibility.* Persons or organizations operating communication circuits are eligible for standby radio facilities in this service provided that the applicant can qualify under either of the following conditions:

(1) The applicant is a communications common carrier.

(2) The applicant is a person or organization operating private wire line communications circuits which normally carry essential communications of such a nature that any disruption thereof will endanger life or public property.

(b) *Eligibility showing.* The initial application from an eligible in this category proposing to operate a radio standby facility for other normal communication circuits shall be accompanied by a statement describing the radio communication facilities desired and the proposed method of operation. When appropriate, the statement shall include a description of the messages normally being carried by the wire line circuits and explain how a disruption thereof will endanger life or public property.

(c) *Class and number of stations available.* Eligibles in this category may be authorized to operate an unlimited number of fixed stations as standby radio facilities. Any such fixed station may be licensed for operation either at a specified location or at any temporary location within a specified area. In the latter case the area of desired operation must be specified by the applicant.

(d) *Permissible communications.* Except for test transmission as permitted by § 10.151 (e), stations licensed for communication circuit standby facilities may be used only during periods when the normal circuits are inoperative due to circumstances beyond the control of the user. During such periods the radio facilities may be used to transmit any communication which would normally be carried by the regular circuits.

§ 10.458 *Establishments in isolated areas*—(a) *Eligibility.* Persons or organizations maintaining establishments in isolated areas where public communication facilities are not available and where the use of radio is the only feasible means of establishing communication with a center of population, or other point from which emergency assistance might be obtained if needed, are eligible in this service.

(b) *Eligibility showing.* The initial application requesting a station authorization for an establishment in an isolated area shall be accompanied by a statement describing the radio communication facilities desired, the applicant's need therefor, and the proposed method of operation, including the location, class of station and name of licensee of the station with which communication is requested. The statement shall also describe the status of public communication facilities in the area of the applicant's establishment and indicate the results of any attempts the applicant may have made to obtain public communication service. In the event radio communication service is to be furnished the proposed station by another station which is not licensed to the applicant, a statement shall be submitted from the licensee of the station involved indicating that the proposed service will be rendered.

(c) *Class and number of stations available.* Persons or organizations in this category may be authorized to operate not more than one fixed station at any isolated establishment and in addition not more than one fixed station in a center of population.

(d) *Permissible communications.* Except for test transmissions as permitted by § 10.151 (e), stations licensed for use at establishments in isolated areas may be used only during an actual or impending emergency endangering life, health or property for the transmission of essential communications arising from the emergency. The transmission of routine or non-emergency communications is strictly prohibited.

(e) *Communication service rendered and received.* (1) The licensee of a fixed station at an establishment in an isolated area shall make the communication facilities of such station available at no charge to any person desiring the transmission of any communication permitted by paragraph (d) of this section.

(2) For the purpose of providing the communications link desired the licensee of a fixed station at an establishment in an isolated area either may be the licensee of a similar station at another location or may obtain communication service under a mutual agreement from the licensee of any station in the Public Safety Radio Services or any other station which is authorized to communicate with the special emergency fixed station.

§ 10.459 *Emergency repair of public communications facilities.* (a) Communications common carriers are eligible in this service for radio facilities to be used in effecting emergency repairs to major interruptions of public communications facilities.

(b) *Eligibility showing.* The initial application from a communications common carrier under the provisions of this section shall be accompanied by a statement describing the radio communication facilities desired and the proposed method of use under such emergency conditions as the applicant expects to arise. The statement shall also clearly indicate the number and classes of stations required in the proposed operation.

(c) *Class and number of stations available.* Eligibles in this category may be authorized to operate base, mobile and fixed stations. The number of such stations requested shall be fully justified in the eligibility showing.

(d) *Permissible communications.* Except for test transmissions as permitted by § 10.151 (e), stations authorized under the eligibility provisions of this section may be used only, when no other means of communication is readily available, for the transmission of messages relating to the safety of life and property and messages which are neces-

sary for the efficient restoration of the public communication facilities which have been disrupted.

§ 10.460 *Points of Communication.* (a) Special emergency base stations are primarily authorized to intercommunicate with special emergency mobile stations. Special emergency mobile stations are primarily authorized to intercommunicate with base and other special emergency mobile stations.

(b) Special emergency base and mobile stations are secondarily authorized to intercommunicate with other stations in the Public Safety Radio Services and to transmit to receivers at fixed locations provided that no harmful interference will be caused to the service of any station transmitting to a point of communication for which that station is primarily authorized.

(c) Special emergency fixed stations are authorized to intercommunicate with other stations in the Public Safety Radio Services and to transmit to receivers at fixed locations. Such stations are also authorized to intercommunicate with any other station which is authorized to communicate with the special emergency fixed station.

§ 10.461 *Station limitations.* (a) Mobile relay stations will not be authorized in the Special Emergency Radio Service.

(b) Except for fixed stations operating on frequencies assigned under the provisions of limitation Note 10 of § 10.462 (f), each operator of a station in the Special Emergency Radio Service shall listen on the licensed frequency of the station prior to transmitting and shall not transmit until it has been reasonably determined that harmful interference will not be caused to any authorized communication in progress on the frequency.

(c) Where a radio station authorization in the Special Emergency Radio Service is held by a person or organization engaging in activities beyond the scope of those indicated in the eligibility provisions of this service the operation of such station shall be strictly confined to those activities on which the eligibility was established, except for messages relating to the safety of life.

§ 10.462 *Frequencies available to the Special Emergency Radio Service.* (a) The frequencies or bands of frequencies listed herein are available for assignment to stations in the Special Emergency Radio Service subject to the conditions and limitations of this section.

(b) The amount of separation between assignable frequencies listed in this section does not necessarily indicate the amount of frequency separation required for systems operation; accordingly, grants of adjacent channel assignments in all bands shall be in the discretion of the Commission.

(c) The operation of mobile systems in the Special Emergency Radio Service will be restricted to the use of only one frequency per system.

(d) Frequencies indicated normally for base and mobile stations in the Special Emergency Radio Service will also be authorized to fixed stations subject to the condition that harmful interference will not be caused to the mobile service.

(e) The following tabulation indicates the frequency or bands of frequencies, the class of station(s) to which they are normally available, and the specific assignment limitations, which are developed in paragraph (f) of this section:

Frequency or band	Class of station(s)	Limitations
Kc		
2726	Base and mobile	9, 11
3190	do	9
2000 to 3000	Fixed	10
Mc		
33.02	Base and mobile	6
33.06	do	6
33.10	do	6
37.90	do	6
37.94	do	6
37.98	do	6
47.42	do	7
47.46	do	
47.50	do	
47.54	do	
47.58	do	
47.62	do	
47.66	do	
72.02 to 74.58	Operational fixed	3
75.42 to 75.98	do	3
157.47	Base and mobile	5, 8
159.51 to 161.79	do	4
161.85	do	5, 8
161.91	do	5, 8
161.97	do	5, 8
454.05 to 455.95	do	1
952 to 960	Operational fixed	1
1850 to 1990	do	1
2110 to 2200	do	1
2450 to 2500	Base and mobile and operational fixed.	1, 2
2500 to 2700	Operational fixed	1
3500 to 3700	Base and mobile	1
6425 to 6575	do	1
6575 to 6875	Operational fixed	1
11700 to 12200	Base and mobile	1
12200 to 12700	Operational fixed	1
16000 to 18000	do	1
26000 to 30000	do	1

(f) Explanation of assignment limitations appearing in the frequency tabulation of paragraph (e) of this section:

(1) Limited to developmental operation only with assigned frequency and particulars of operation specified in each authorization.

(2) Subject to no protection from interference due to the operation of industrial, scientific and medical devices in this band.

(3) Assignable frequencies spaced by 40 kc beginning with the frequencies 72.02 and 75.42 Mc and ending with the frequencies 74.58 and 75.98 Mc, respectively, are available on a shared basis to operational fixed stations in the Special Emergency Radio Service on the condition that no harmful interference will be caused to the reception of television stations on Channels 4 or 5.

(4) Assignable frequencies spaced by 60 kc beginning with the frequency 159.51 Mc and ending with the frequency 161.79 Mc are available on a shared basis to base and mobile stations in the Special Emergency Radio Service upon an adequate showing of need and upon the condition that no harmful interference will be caused to the service of any existing or future station operating in the Railroad Radio Service.

(5) The use of this frequency may be authorized to base and mobile stations in the Special Emergency Radio Service on the condition that no harmful interference will be caused to the Maritime Mobile Service. Special emergency operations at points within 150 miles of coastal areas and navigable gulfs, bays, rivers and lakes may be authorized only after a factual finding indicates that, on an engineering basis, no harmful interference will be caused to the Maritime Mobile Service.

(6) This frequency is shared with the Highway Maintenance Radio Service.

(7) This frequency is reserved for assignment only to National organizations established for relief purposes.

(8) This frequency will not be assigned to stations in the Special Emergency Radio Service at any point within 150 miles of Chicago, Illinois.

(9) This frequency may be subject to change when the Atlantic City table of frequency allocations below 27.50 Mc comes into force.

(10) Appropriate frequencies in the band 2000–3000 kilocycles which are designated in Part 8 of the Commission's rules as available to Public Ship Stations for telephone communication with Public Coast Stations may be assigned on a secondary basis to special emergency fixed stations for communication with Public Coast Stations only, provided such stations are located in the United States and the following conditions are met:

(i) That such fixed station is established pursuant to the eligibility provisions of § 10.458 and that the isolated area involved is an island or other location not more than 300 statute miles removed from the desired point of communication and isolated from that point by water.

(ii) That evidence is submitted showing that an arrangement has been made with the coast station licensee for the handling of emergency communications permitted by § 7.302 (b) of this chapter and § 10.458 (d).

(iii) That operation of the special emergency fixed station shall at no time conflict with any provision of Part 8 of this chapter and further, that such operation in general shall conform to the practices employed by Public Ship Stations for radiotelephone communication with the same Public Coast Station.

(11) This frequency is shared with the State Guard Radio Service.

[F. R. Doc. 52-4716; Filed, Apr. 25, 1952; 8:51 a. m.]

[47 CFR Part 12]

[Docket No. 10073]

AMATEUR RADIO SERVICE

FURTHER NOTICE OF PROPOSED RULE MAKING

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. The Commission heretofore on November 6, 1951 (16 F. R. 11281) published a notice of rule making in which issues raised by three petitions for amendment of § 12.111, of Part 12, "Amateur Radio Service" were set forth and all interested amateurs invited to submit comments or suggestions as to what rules would be appropriate and suitable to provide the relief sought by the petitions and at the same time resolve the apparent conflict in the rules as proposed by the petition.

The petitions, in general, requested that portions of the amateur frequency band 7000–7300 kc be made available for both A3 and F–1 emission in addition to A1 emission now authorized and that frequency shift keying (F–1 emission) be authorized in all amateur frequency bands below 27 megacycles for radio printer and for similar operation. Comments and suggestions, submitted either individually or by amateurs in groups or clubs, were received from a considerable number of amateurs. From these comments the Commission has now prepared specific proposed amendments of Part 12, designed to provide more frequency space for frequency shift keying (F–1 emission), permit some radiotelephone communication in the frequency band 7000–7300 kc, provide more frequency space for Novice amateur operators, provide readily identifiable announcement of call signs, and to prescribe standards to be observed in radio teleprinter operation. The substance of the amendments proposed is set forth below.

3. The proposed amendments are issued under authority contained in sections 303 (a), (b), (c), (e), and (r), of the Communications Act of 1934, as amended.

4. Any interested person who is of the opinion that the proposed amendments should not be adopted, or should not be adopted in the form set forth, may file with the Commission on or before July 1, 1952, a written statement or brief setting forth his comments. At the same time any person who favors the amendments as set forth may file a statement in support thereof. Comments or briefs in reply to the original comments or briefs may be filed within fifteen days from the last day for filing the said original comments or briefs. The Commission will consider all such comments, briefs, and statements before taking final action. If any comments are received which appear to warrant the Commission in holding an oral argument before final action is taken, notice of the time and place of such oral argument will be given such interested parties.

5. All comments and briefs should be addressed to the Secretary, Federal Communications Commission, Washington 25, D. C., and should be submitted in quadruplicate.

Adopted: April 17, 1952.

Released: April 18, 1952.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

1. Amend § 12.23 (e) (2) to read as follows:

(2) Only the following frequency bands and types of emission may be used, and the emissions of the transmitter must be crystal-controlled:

(i) 3700 to 3750 kc, radiotelegraphy using only type A–1 emission in accordance with the geographical restrictions set forth in § 12.111.

(ii) 7175 to 7200 kc, radiotelegraphy using only type A–1 emission.

(iii) 26.960 to 27.230 mc, radiotelegraphy using only type A–1 emission.

(iv) 145 to 147 mc, radiotelegraphy or radiotelephony using any type of emission except pulsed emission and type B emission.

2. Amend § 12.82 (a) to read as follows:

(a) All transmissions of an amateur station shall be identified by the transmission, by the properly authorized operator thereof, of the call sign assigned that station and the call sign(s) of the station(s), if any, with which communication is in progress or is being attempted, in accordance with the following minimum specifications:

(1) Each station which is actually engaged in an exchange of signals or other communications with some other station or stations shall transmit the required identification, as follows:

(i) At the beginning and at the conclusion of the series of transmissions constituting that exchange except that, if the entire duration of such exchange is less than three minutes, the identification need not be repeated at the conclusion of the exchange.

(ii) At the conclusion of any single transmission which exceeds three minutes' duration during such exchange, unless the identification has already been given during that transmission.

(iii) At intervals not exceeding ten minutes during the series of transmissions constituting that exchange except that, if the station is not transmitting when such identification becomes due, the identification shall be transmitted at the beginning of the first succeeding transmission by that station.

(2) Each station which is not actually engaged in an exchange of signals or other communications with any other station or stations shall transmit the required identification during its other transmissions in accordance with the following schedule:

(i) At intervals not exceeding one-half minute during all transmissions which are for the purpose of establishing communication with any other station or stations, or for the purpose of testing, adjusting or calibrating transmitting, receiving or other equipment, including transmissions for the purpose of determining signal strength, operating frequency, or other characteristics of the transmitted or received signal.

(ii) At the beginning, at the conclusion, and at intervals not exceeding ten minutes during the transmission of other authorized one-way signals or communications; including but not limited to signals for the control by radio of remote objects or equipment, general messages containing amateur information bulletins or code practice transmissions, etc.

(3) The required identification shall be transmitted on the frequency or frequencies being employed at the time and shall be either by telegraphy, using the International Morse Code, or by telephony, whichever may be authorized for use on such frequency or frequencies and appropriate to the type of emission being employed for the other transmissions. When a method of communication other than telephony, or telegraphy using the International Morse Code, is being used or attempted, the prescribed identification shall also be transmitted by that other method.

3. Add new § 12.107 as follows:

§ 12.107 *Special provisions regarding radio teleprinter transmissions.* The following special conditions shall be observed during the transmission of radio teleprinter signals on authorized frequencies by amateur stations:

(a) A single channel five-unit (start-stop) teleprinter code shall be used which shall correspond to the International Telegraphic Alphabet No. 2 with respect to all letters and numerals (including the slant sign or fraction bar) but special signals may be employed for the remote control of receiving printers, or for other purposes, in "figures" positions not utilized for numerals. In general, this code shall conform as nearly as possible to the teleprinter code or codes in common commercial usage in the United States.

(b) The nominal transmitting speed of the radio teleprinter signal keying equipment shall be adjusted as nearly as possible to the standard speed of 60 words per minute and, in any event, within the range 55 to 65 words per minute.

(c) When frequency-shift keying (type F–1 emission) is utilized, the deviation in frequency from the mark signal to the space signal, or from the space signal to the mark signal, shall be adjusted as nearly as possible to 850 cycles and, in any event, within the range 800 to 900 cycles per second.

(d) When audio-frequency-shift keying (type A–2 or type F–2 emission) is utilized, the highest fundamental modulating audio frequency shall not exceed 3000 cycles per second, and the difference between the modulating audio frequency for the mark signal and that for the space signal shall be adjusted as nearly as possible to 850 cycles and, in any event, within the range 800 to 900 cycles per second.

4. Amend § 12.111 (a) (2) (i) to read as follows:

(i) 3500 to 4000 kc, using type A–1 emission and, on frequencies 3500 to 3800 kc, using type F–1 emission, to those stations located within the continental limits of the United States, the Territories of Alaska and Hawaii, Puerto Rico, the Virgin Islands and all United States possessions lying west of the Territory of Hawaii to 170° west longitude.

5. Amend § 12.111 (a) (3) to read as follows:

(3) 7000 to 7300 kc, using type A–1 emission and, on frequencies 7000 to 7200 kc, using type F–1 emission and, on frequencies 7200 to 7300 kc, using type A–3 emission or narrow band frequency or phase modulation for radiotelephony.

6. Amend § 12.111 (a) (4) by the addition of the authorization for the use of type F–1 emission on frequencies 14,000 to 14,200 kc and 14,300 to 14,350 kc.

[F. R. Doc. 52–4714; Filed, Apr. 25, 1952; 8:50 a. m.]

[47 CFR Part 12]

[Docket No. 10173]

SPECIAL RADIOTELEPHONE OPERATING PRIVILEGES PRESENTLY GRANTED ONLY TO HOLDERS OF THE EXTRA CLASS AND ADVANCED CLASS AMATEUR OPERATOR LICENSES

NOTICE OF PROPOSED RULE MAKING

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. It is proposed to amend Part 12, "Amateur Radio Service," by deletion of the present limitation on the operating privileges of the holders of General and Conditional Class licenses, insofar as they apply to the use of radiotelephony on the frequency bands 3800 to 4000 kilocycles and 14,200 to 14,300 kilocycles, and grant to the holders of General Class, Conditional Class and Advanced Class operator licenses, uniformly, all authorized amateur privileges.

3. The proposed amendments are designed to preclude the necessity for new applicants after December 31, 1952, who desire the special radiotelephone operating privileges now reserved to the holders of Extra Class and Advanced Class licenses, to qualify for the Extra Class license as the only means by which to obtain those privileges. They are also designed to remove an existing restriction on the operation of amateur stations licensed to holders of General or Conditional Class licenses which appears no longer necessary, in view of the present state of the radio art and the general technical regulations which govern the operation of all classes of amateur stations.

4. The proposed amendments are set forth below and are issued under the authority of sections 4 (i) and 303 (b), (l), and (r) of the Communications Act of 1934, as amended.

5. Any interested person who is of the opinion that the proposed amendments should not be adopted, or should not be adopted in the form set forth, may file with the Commission on or before July 1, 1952, a written statement or brief setting forth his comments. At the same time any person who favors the amendments as set forth may file a statement in support thereof. Comments or briefs in reply to the original comments or briefs may be filed within fifteen days from the last day for filing such original comments or briefs. The Commission will consider all such comments, briefs, and statements before taking final action. If any comments are received which appear to warrant the Commission in holding an oral argument before final action is taken, notice of the time and place of such oral argument will be given such interested parties.

6. In accordance with the provisions of § 1.764 of the Commission's rules, an original and three copies of all statements, briefs, or comments shall be furnished the Commission.

Adopted: April 17, 1952.

Released: April 18, 1952.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

1. Amend § 12.23 (c) to read as follows:

(c) *General and conditional classes.* All authorized amateur privileges.

2. Amend § 12.111 (a) (2) (ii) to read as follows:

(ii) 3800 to 4000 kc, using type A3 emission and narrow band frequency or phase modulation for radiotelephony, to those stations located within the continental limits of the United States, the Territories of Alaska and Hawaii, Puerto Rico, the Virgin Islands and all United States possessions lying west of the Territory of Hawaii to 170° west longitude.

3. Amend § 12.111 (a) (4) by the deletion of the following clause: "* * * subject to the restriction that type A–3 emission, or narrow band frequency or phase modulation for radiotelephony, may be used only by an amateur station which is licensed to an amateur operator holding an Amateur Extra Class or Advanced Class license and then only when operated and controlled by an amateur operator holding an Amateur Extra Class or Advanced Class license."

[F. R. Doc. 52–4715; Filed, Apr. 25, 1952; 8:51 a. m.]

[47 CFR Part 18]

[Docket No. 10180]

INDUSTRIAL, SCIENTIFIC AND MEDICAL SERVICE

NOTICE OF PROPOSED RULE MAKING

1. Notice is hereby given of proposed rule making in the above entitled matter.

2. A proposed amendment to Part 18 of the Commission's rules is set forth below. This amendment relates to the operation of diathermy and miscellaneous equipment designed to operate on fundamental frequencies outside the frequency bands allocated for use by industrial, scientific and medical equipment.

3. This amendment is issued under authority of sections 301 and 303 of the Communications Act of 1934, as amended.

4. Any interested party who is of the opinion that the proposed rules should not be adopted in the form set forth herein may file with the Commission on or before May 17, 1952, a written statement or brief, setting forth his comments. At the same time, any person who favors the rules as set forth may file a statement in support thereof. The Commission will consider all comments, briefs and statements presented before taking final action in the matter. If any comments are received which appear to warrant the Commission in holding an oral argument before final action is taken, notice of the time and place of such oral argument will be given such interested parties.

5. In accordance with the provisions of § 1.764 of the Commission's rules, an original and fourteen copies of all statements, briefs or comments shall be furnished the Commission.

Adopted: April 17, 1952.

Released: April 18, 1952.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

1. In § 18.12 *Operation outside of assigned frequency bands* change "required in paragraph (c) of this section" to read "required in paragraph (b) of this section."

2. In § 18.12 (a) change text to read as follows:

(a) The equipment used in such operation shall be provided with a rectified and filtered plate power supply, power line filters and shall be provided with sufficient shielding so that the emission of radio frequency energy generated by such operation, including spurious and harmonic emissions, shall not exceed a strength of fifteen microvolts per meter at a distance of 1,000 feet or more from the medical diathermy equipment on frequencies other than those specified in § 18.11 (a) under any conditions of operation.

3. Delete present § 18.12 (b).

4. Change present § 18.12 (c) to § 18.12 (b).

5. Change present § 18.12 (d) to § 18.12 (c).

[F. R. Doc. 52–4720; Filed, Apr. 25, 1952; 8:53 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

[No. 47]

PAYETTE DIVISION, BOISE PROJECT, IDAHO

PUBLIC NOTICE OF TERMS GOVERNING DELIVERY OF WATER FOR 1952 IRRIGATION SEASON

APRIL 11, 1952.

1. On February 27 and March 9, 1948, Public Notices Nos. 38 and 39 were issued, one announcing the availability of water under the contract of October 3, 1927, between the United States and the Black Canyon Irrigation District, as amended by the contract of July 15, 1936, to the lands comprising the gravity areas of the Payette Division; the other announcing the rental charge, in addition to the construction charge against the land covered by Public Notice No. 38, for all lands to which water would be delivered for 1948. On September 14, 1949, Public Notice No. 41 was issued opening land to entry and announcing that water will be furnished therefor for the irrigation season of 1950. On March 25, 1949, Public Notice No. 42 was issued announcing terms governing delivery of water for the 1949 irrigation season, on February 24, 1950, Public Notice No. 44 was issued announcing terms governing delivery of water for the 1950 irrigation season, and on March 5, 1951, Public Notice No. 46 was issued announcing terms governing delivery of water for the 1951 irrigation season. These notices were issued having regard for the provisions of the Federal Reclamation Laws (act of June 17, 1902, 32 Stat. 388, and acts amendatory thereof or supplementary thereto) prohibiting the delivery of water upon the completion of any new project or new division of a project until a contract approved by the Secretary of the Interior had been made with an irrigation district providing for payment by the district of all the costs of constructing and operating and maintaining the irrigation works.

2. Public Notices Nos. 42, 44, and 46 were issued for the purpose of providing a temporary arrangement for furnishing water to the lands of the District during the 1949, 1950, and 1951 irrigation seasons. It is unlikely that an amendatory repayment contract will be entered into between the United States and the District prior to the beginning of the irrigation season of 1952. Exercising my general supervisory authority over the works of the Payette Division, I have determined that, notwithstanding the inadequacy of the existing repayment contract and outside the provisions of that contract, water will be furnished for the 1952 irrigation season only on a temporary rental basis as follows:

(a) For lands served by gravity canals in the Payette Division, the minimum rental charge for the 1952 irrigation season for water delivered to or for the farms by Government forces will be $4.50 per irrigable acre, said payment to be made by each landowner for his total irrigable area. Included in said water rental charge for lands served by gravity canals is a construction charge component of $1.70. If the total cost of operating and maintaining the works of the Payette Division, including the charge for power for irrigation pumping for the year 1952 is less than, or equals, the amount paid by the District on the basis of $2.80 per irrigable acre, such construction component of $1.70 may be credited on the instalment that would have been due for 1952 under the contract of October 3, 1927, as amended, and Public Notice No. 38. The said minimum charge per irrigable acre shall be payable whether or not water is used and will entitle the water user to three acre-feet of water per irrigable acre for the 1952 irrigation season. Two dollars and eighty cents per irrigable acre will be payable by the District in advance of the delivery of water, and $1.70 per irrigable acre will be payable, one-half on or before December 31, 1952, and one-half on or before July 1, 1953. Additional water will be furnished during the 1952 irrigation season at the rate of $1.20 per acre-foot, and shall be payable by each landowner to the District on or before December 20, 1952. Payments by the District to the United States for such excess water shall be made on or before December 31, 1952. The minimum charge on account of lands which do not receive water for the irrigation season of 1952 shall be payable by the District to the United States on or before December 31, 1952, and the District shall make the necessary assessments therefor against the lands involved.

(b) For the rental of water during the irrigation season of 1952 for privately owned new lands under the pump system of the Payette Division, there will be a minimum charge of $2.80 per irrigable acre, said payment to be made by each landowner for his total irrigable area. The said minimum charge per irrigable acre shall be payable whether or not water is used and will entitle the water user to three acre-feet of water per irrigable acre for the 1952 irrigation season. For the 1952 irrigation season only, the minimum charge of $2.80 per irrigable acre may be paid in two equal installments; payment of $1.40 per irrigable acre will entitle the water user to one-half of the three acre-feet provided under the minimum charge. Balance of the $2.80 minimum charge will become due when the first one and one-half acre-feet per irrigable acre have been delivered. Water delivered to the landowners after the first one and one-half acre-feet per irrigable acre have been used and before payment of the second instalment of $1.40 per irrigable acre has been paid will be charged as excess water at the rate of $1.20 per acre-foot unless the second instalment of $1.40 per irrigable acre has been paid prior to the use of three acre-feet per irrigable acre, but in no event shall the total charge be less than $2.80 per irrigable acre regardless of the amount of water used. Additional water used in excess of the minimum of three acre-feet will be furnished at the rate of $1.20 per acre-foot. Payment for all excess water shall be payable by each landowner to the District on or before December 20, 1952. Payments by the District to the United States for the minimum charge shall be made in advance of the delivery of water as set forth in the above provisions. Payment by the District to the United States for excess water shall be made on or before December 31, 1952. The minimum charge on account of lands which do not receive water for the irrigation season of 1952 shall be payable by the District to the United States on or before December 31, 1952, and the District shall make the necessary assessments therefor against the lands involved.

(c) For the rental of water during the irrigation season of 1952 for new lands comprising homestead farm units under the pump system of the Payette Division, there will be a minimum charge of $2.80 per irrigable acre, payable by the District in advance of the delivery of water, upon a minimum of 10 acres. Payment up to the total irrigable acreage in each farm unit shall be made in advance of the delivery of water in multiples of 10 acres. For the advance payment of water rental outlined above, the maximum of three acre-feet of water per irrigable acre will be furnished. One dollar and twenty cents per acre-foot will be charged for any water furnished to any farm unit in excess of the minimum amount of water paid for. The amount charged for such excess water will be payable by each individual owner of a farm unit to the District on or before December 20, 1952, and charges for such excess water shall be paid by the District to the United States on or before December 31, 1952.

3. The foregoing arrangements are a temporary expedient for the 1952 irrigation season only. The Bureau of Reclamation is now discussing a long-range repayment plan with the District's board of directors. The present arrangements are made with the understanding that all reasonable effort will be made by the Bureau of Reclamation and the District's board of directors to agree on a long-range repayment plan and to present it to the District's electors at the earliest possible date.

4. Water for Payette Division lands will be delivered and measured by Government forces at the nearest available measuring device to the individual farm.

5. Any charge, or any part thereof, required to be paid to the United States under this notice, and which remains unpaid after it shall become due and payable, shall be subject to, and there shall be paid a penalty at the rate of one-half percent per month from the date of delinquency.

6. Individual landowners in the Payette Division will make their applications for water and the payments required by this public notice direct to the Black Canyon Irrigation District office, Notus, Idaho. Applications by the irrigation district for water and payments by the

District to the United States on the basis of this public notice will be received at the office of the Bureau of Reclamation, 214 Broadway, Boise, Idaho.

R. D. SEARLES,
Under Secretary of the Interior.

[F. R. Doc. 52-4675; Filed, Apr. 25, 1952; 8:46 a. m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

[No. S-31]

FARRELL LINES INC.

NOTICE OF HEARING

Notice is hereby given that a public hearing will be held before Examiner F. J. Horan, in Room 4823, Department of Commerce Building, Washington, D. C., on May 13, 1952, at 10 o'clock a. m., e. d. s. t., under Title VI of the Merchant Marine Act, 1936, as amended, concerning review by the Board, on its own motion, of the operating-differential-subsidy agreement of Farrell Lines, Incorporated, with a view to determining the basis for permanent subsidy rates to be applicable to the combination passenger and freight vessels "African Endeavor" and "African Enterprise" operated by said company on Trade Route No. 15-A (U. S. Atlantic-South and East Africa).

The purpose of the hearing is to receive evidence relevant to the following: (1) Whether, and to what extent, the operation of such combination passenger and freight vessels by Farrell Lines Incorporated on Trade Route No. 15-A was required to meet foreign-flag competition and to promote the foreign commerce of the United States between July 1949, and the present date, or any part of that period; (2) whether such competition, if any, was (a) direct foreign-flag competition, or (b) other than direct foreign-flag competition; and (3) the extent to which the payment of subsidy in respect to the combination passenger and freight service afforded by the operation of the above-mentioned combination vessels on Trade Route No. 15-A is necessary to place such vessels on a parity with those of foreign-flag competitors, and is reasonably calculated to carry out effectively the purposes and policy of the Merchant Marine Act, 1936, as amended.

The hearing will be conducted pursuant to the Board's rules of procedure (12 F. R. 6076), and a recommended decision will be issued by the examiner.

All persons (including individuals, corporations, associations, firms, partnerships, and public bodies) desiring to intervene in this proceeding should notify the Board accordingly on or before May 6, 1952, and should file petitions promptly for leave to intervene in accordance with section 201.61 of the Board's rules of procedure.

Dated: April 23, 1952.

By order of the Federal Maritime Board.

[SEAL] A. J. WILLIAMS,
Secretary.

[F. R. Doc. 52-4736; Filed, Apr. 25, 1952; 8:55 a. m.]

ISTHMIAN STEAMSHIP CO. ET AL.

NOTICE OF AGREEMENT FILED WITH THE BOARD FOR APPROVAL

Notice is hereby given that the following described agreement has been filed with the Board for approval pursuant to Section 15 of the Shipping Act, 1916, as amended.

Agreement No. 7707-2 between Isthmian Steamship Company and Matson Navigation Company, modifies their approved basic joint service agreement (No. 7707), which covers the trade between Hawaiian Islands and U. S. Atlantic and Gulf ports, and provides that either party may tranship cargo to the other for transportation between ports in the U. S. Atlantic and/or Gulf range and between Hawaiian Island ports. The purpose of the proposed modification is to increase the amount which shall be paid for such transportation.

Interested parties may inspect this agreement and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to this agreement and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: April 23, 1952.

By order of the Federal Maritime Board.

[SEAL] A. J. WILLIAMS,
Secretary.

[F. R. Doc. 52-4737; Filed, Apr. 25, 1952; 8:55 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Region II, Redelegation of Authority 34]

DIRECTORS OF DISTRICT OFFICES, REGION II

REDELEGATION OF AUTHORITY TO ACT ON FINAL PRICING METHOD AND ADJUSTMENT PROVISIONS OF CPR 13

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. II, pursuant to Delegation of Authority No. 62 (17 F. R. 3258), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the New York City, Buffalo, Rochester, Syracuse, and Albany, New York; and the Newark and Trenton, New Jersey, Offices of Price Stabilization.

(a) To request of any seller of petroleum products who is covered by Ceiling Price Regulation 13 further information regarding such seller's filing of a price under the provisions of sections 13 and 18 of Ceiling Price Regulation 13, or regarding his application for adjustment under the provisions of sections 16 and 17 of Ceiling Price Regulation 13;

(b) To grant, revise or deny applications for adjustment made under the provisions of sections 16 and 17 of Ceiling Price Regulation 13;

(c) To approve, disapprove or revise ceiling prices determined under the provisions of sections 13 and 18 of Ceiling Price Regulation 13.

This redelegation of authority is effective April 24, 1952.

JAMES G. LYONS,
Regional Director, Region II.

APRIL 23, 1952.

[F. R. Doc. 52-4732; Filed, Apr. 23, 1952; 4:39 p. m.]

[Region IV, Redelegation of Authority 6, Rev. 2]

DIRECTORS OF DISTRICT OFFICES, REGION IV

REDELEGATION OF AUTHORITY TO PROCESS REPORTS OF PROPOSED PRICE-DETERMINING METHODS UNDER SECTION 5, AND TO FIX CEILING PRICES UNDER SECTION 16 (b) OF CPR 67

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. IV, pursuant to Delegation of Authority No. 22, Revision 2 (17 F. R. 2508), this Revision 2 to Region IV Redelegation of Authority No. 6, Revision 1 (17 F. R. 1197), is hereby issued.

1. Authority to act under section 5 of CPR 67. Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region IV, to approve, pursuant to section 5, CPR 67, a price-determining method for sales at wholesale or retail proposed by a reseller under CPR 67, disapproved such a proposed price-determining method, establish a different price-determining method, by order, or request further information concerning such a price-determining method.

2. Authority to act under section 16 (b) of CPR 67. Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region IV, to issue orders, pursuant to section 16 (b) of CPR 67, fixing ceiling prices for any person subject to this regulation who fails to keep the records, file the reports, and establish ceiling prices as required therein, or who fails to apply to the Office of Price Stabilization for the establishment of a ceiling price, if he is required to do so.

This redelegation of authority is effective April 24, 1952.

W. F. BAILEY,
Director of Regional Office No. IV.

APRIL 23, 1952.

[F. R. Doc. 52-4724; Filed, Apr. 23, 1952; 4:38 p. m.]

[Region IV, Redelegation of Authority 30]

DIRECTORS OF DISTRICT OFFICES, REGION IV

REDELEGATION OF AUTHORITY TO PROCESS APPLICATIONS FOR CEILING PRICES IN CONFORMITY WITH COMMODITY CREDIT CORPORATION PRICE SUPPORT PROGRAM UNDER GOR 26

By virtue of the authority vested in me as Director of the Regional Office of

Price Stabilization, No. IV, pursuant to Delegation of Authority No. 58 (17 F. R. 2586), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region IV, to process applications for ceiling prices submitted by applicants whose main places of business are located within the region pursuant to section 3 (b) (3) of GOR 26, and to approve or disapprove the proposed ceiling prices, establish different ceiling prices, or request further information concerning the applications.

This redelegation of authority is effective April 24, 1952.

W. F. BAILEY,
Director of Regional Office No. IV.

APRIL 23, 1952.

[F. R. Doc. 52-4726; Filed, Apr. 23, 1952; 4:39 p. m.]

[Region IV, Redelegation of Authority 31]

DIRECTORS OF DISTRICT OFFICES, REGION IV

REDELEGATION OF AUTHORITY TO ACT UNDER CPR 134—CEILING PRICES FOR EATING AND DRINKING ESTABLISHMENTS

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. IV, pursuant to Delegation of Authority No. 61 (17 F. R. 3258), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region IV, to act under sections 4 (a) (6), 6 (c), 6 (d), 7 (c), 9 (b) (3), 10, 14 (e), and 16 (b) of CPR 134.

This redelegation of authority is effective April 24, 1952.

W F. BAILEY,
Director of Regional Office No. IV.

APRIL 23, 1952.

[F. R. Doc. 52-4727; Filed, Apr. 23, 1952; 4:39 p. m.]

[Region VII, Redelegation of Authority 31]

DIRECTORS OF DISTRICT OFFICES, REGION VII

REDELEGATION OF AUTHORITY TO ACT UNDER CPR 134—CEILING PRICES FOR EATING AND DRINKING ESTABLISHMENTS

By virtue of the authority vested in me as Director of the Regional Office of the Office of Price Stabilization, Region VII, pursuant to the provisions of Delegation of Authority No. 61, dated April 11, 1952 (17 F. R. 3258), this Redelegation of Authority No. 31 is hereby issued:

1. Authority is hereby redelegated to the District Directors of the Office of Price Stabilization in Region VII to act under sections 4 (a) (6), 6 (c), 6 (d), 7 (c), 9 (b) (3), 10, 14 (e), and 16 (b) of CPR 134.

This redelegation of authority shall take effect April 24, 1952.

HYMAN RASKIN,
Director of Regional Office No. VII.

APRIL 23, 1952.

[F. R. Doc. 52-4730; Filed, Apr. 23, 1952; 4:39 p. m.]

[Region VII, Redelegation of Authority 32]

DIRECTORS OF DISTRICT OFFICES, REGION VII

REDELEGATION OF AUTHORITY TO ACT UNDER CPR 135—BAKERS, WHOLESALE AND RETAIL DISTRIBUTORS OF FROZEN AND PERISHABLE BAKERY ITEMS

By virtue of the authority vested in me as Director of the Regional Office of the Office of Price Stabilization, Region VII, pursuant to the provisions of Delegation of Authority No. 60, dated April 10, 1952 (17 F. R. 3220), this Redelegation of Authority No. 32 is hereby issued:

1. Authority is hereby redelegated to the District Directors of the Office of Price Stabilization in Region VII:

(a) To fix ceiling prices upon application under sections 2.4 and 3.3 of Ceiling Price Regulation 135.

(b) To adjust ceiling prices under section 2.12 of Ceiling Price Regulation 135.

(c) To request, under section 4.3, further information concerning any ceiling price reported purusant to the provisions of Ceiling Price Regulation 135, or concerning any application for a ceiling price made pursuant to the provisions of Ceiling Price Regulation 135.

(d) To disapprove or reduce at any time, under section 4.3, ceiling prices determined, reported or proposed under Ceiling Price Regulation 135.

This redelegation of authority shall take effect April 24, 1952.

HYMAN RASKIN,
Director of Regional Office No. VII.

APRIL 23, 1952.

[F. R. Doc. 52-4731; Filed, Apr. 23, 1952; 4:39 p. m.]

[Region VIII, Redelegation of Authority 31]

DIRECTORS OF DISTRICT OFFICES, REGION VIII

REDELEGATION OF AUTHORITY TO ACT UNDER CPR 135—BAKERS, WHOLESALE AND RETAIL DISTRIBUTORS OF FROZEN AND PERISHABLE BAKERY ITEMS

By virtue of the authority vested in the Director of the Regional Office of Price Stabilization, Region VIII, pursuant to Delegation of Authority No. 60, dated April 10, 1952 (17 F. R. 3220), this redelegation of authority is hereby issued:

1. Authority is hereby redelegated to the District Directors, Office of Price Stabilization, Eighth Region:

(a) To fix ceiling prices upon application under sections 2.4 and 3.3 of Ceiling Price Regulation 135.

(b) To adjust ceiling prices under section 2.12 of Ceiling Price Regulation 135.

(c) To request, under section 4.3, further information concerning any ceiling price reported pursuant to the provisions of Ceiling Price Regulation 135, or concerning any application for a ceiling price made pursuant to the provisions of Ceiling Price Regulation 135.

(d) To disapprove or reduce at any time, under section 4.3, ceiling prices determined, reported or proposed under Ceiling Price Regulation 135.

This redelegation of authority shall take effect as of April 14, 1952.

ARTHUR D. REYNOLDS,
Acting Regional Director, Region VIII.

APRIL 23, 1952.

[F. R. Doc. 52-4728; Filed, Apr. 23, 1952; 4:39 p. m.]

[Region VIII, Redelegation of Authority 32]

DIRECTORS OF DISTRICT OFFICES, REGION VIII

REDELEGATION OF AUTHORITY TO ACT UNDER CPR 134—CEILING PRICES FOR EATING AND DRINKING ESTABLISHMENTS

By virtue of the authority vested in the Director of the Regional Office of Price Stabilization, Region VIII, pursuant to Delegation of Authority No. 61, dated April 11, 1952 (17 F. R. 3258), this redelegation of authority is hereby issued:

1. Authority is hereby redelegated to the District Directors, Office of Price Stabilization, Eighth Region, to act under sections 4 (a) (6), 6 (c), 6 (d), 7 (c), 9 (b) (3), 10, 14 (e) and 16 (b) of CPR 134.

This redelegation of authority shall take effect as of April 14, 1952.

ARTHUR D. REYNOLDS,
Acting Regional Director, Region VIII.

APRIL 23, 1952.

[F. R. Doc. 52-4729; Filed, Apr. 23, 1952; 4:39 p. m.]

[Region X, Redelegation of Authority 29]

DIRECTORS OF DISTRICT OFFICES, REGION X

REDELEGATION OF AUTHORITY TO ESTABLISH GROUP ADJUSTMENT OF CERTAIN CONTRACT MOTOR CARRIER RATES

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. X, pursuant to Delegation of Authority No. 59 (17 F. R. 3069), this redelegation of authority is hereby issued.

1. Authority to act under section 5 (d) of Supplementary Regulation 39 to the General Ceiling Price Regulation. Authority is hereby redelegated to the Directors of the Little Rock, Arkansas; Tulsa, Oklahoma; Oklahoma City, Oklahoma; Shreveport, Louisiana; New Orleans, Louisiana; Lubbock, Texas; Fort Worth, Texas; Dallas, Texas; Houston, Texas; and San Antonio, Texas, District Offices of Price Stabilization to adjust, on a uniform group basis, the ceiling rates of all contract motor carriers engaged in the transportation

of fruit, meat, vegetables, or milk, wholly within the limits of their respective districts, provided individual applications are filed by a representative number of the carriers commonly engaged in handling that particular traffic, or by a user of such service.

This redelegation of authority shall take effect as of April 19, 1952.

ALFRED L. SEELYE,
Director of Regional Office No. X.

APRIL 23, 1952.

[F. R. Doc. 52-4725; Filed, Apr. 23, 1952; 4:38 p. m.]

[Ceiling Price Regulation 83, Section 2, Special Order 14, Amdt. 2]

CHRYSLER CORP.

BASIC PRICES AND CHARGES FOR NEW PASSENGER AUTOMOBILES

Statement of considerations. Special Order 14 established a schedule of prices and charges pursuant to Section 2 of Ceiling Price Regulation 83 for sellers of new passenger automobiles and factory installed extra equipment manufactured by the Chrysler Corporation. Subsequent to the issuance of Special Order 14 the Chrysler Corporation has introduced a new item of factory installed extra, special or optional equipment on its DeSoto and Chrysler new passenger automobiles and a wholesale ceiling price has been approved for this new item. Special Order 14 is, therefore, amended to include charges for the new item of factory installed extra, special or optional equipment.

Special provisions. For the reasons set forth in the Statement of Considerations and pursuant to section 2 of Ceiling Price Regulation 83, this amendment to Special Order 14 is hereby issued.

1. The following charges for factory installed extra, special or optional equipment are added to the list of extra, special or optional equipment contained in paragraph 2 of Special Order 14:

DESOTO PASSENGER AUTOMOBILES

Fluid torque drive, Model A-322..... $124.56

CHRYSLER PASSENGER AUTOMOBILES

Fluid torque drive, Model A-322..... $124.56

Effective date. This amendment 2 to Special Order 14 shall become effective April 24, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

APRIL 24, 1952.

[F. R. Doc. 52-4758; Filed, Apr. 24, 1952; 11:52 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 10114]

MYRON HENRY PREMUS

APPLICATION FOR RENEWAL OF AMATEUR OPERATOR AND STATION LICENSES

The Commission having under consideration its order of April 8, 1952, in which the time and place of hearing in the above-entitled matter were fixed as 10:00 a. m., May 6, 1952, at the offices of the Federal Communications Commission in Washington, D. C.;

It appearing, that mimeographed copies of the aforesaid order could not be prepared and mailed to the applicant and other interested parties in sufficient time to afford them a reasonable time to prepare for the hearing in this matter;

It is ordered, This 15th day of April 1952, on the Commission's own motion, that the date for the hearing be continued to 10:00 a. m., June 17, 1952.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-4704; Filed, Apr. 25, 1952; 8:55 a. m.]

[Canadian Change List No. 70]

CANADIAN BROADCAST STATIONS

LIST OF CHANGES, PROPOSED CHANGES, AND CORRECTIONS IN ASSIGNMENTS

MARCH 26, 1952.

Notification under the provisions of Part III, section 2, of the North American Regional Broadcasting Agreement.

List of changes, proposed changes, and corrections in assignments of Canadian Broadcast Stations modifying appendix containing assignments of Canadian Broadcast Stations (Mimeograph 47214-3) attached to the recommendations of the North American Regional Broadcasting Agreement Engineering Meeting, January 30, 1941.

CANADA

Call letters	Location	Power (kw)	Radiation	Time designation	Class	Probable date to commence operation
CBG.....	Gander, Newfoundland (PO 1450 kc/s, 0.25 kw. LV).	850 kilocycles, 0.25.....	ND	U	II	Apr. 4, 1953.
New.....	Prince Rupert, British Columbia.	1,080 kilocycles, 5.....	DA-1	U	II	Do.
CKOC...	Hamilton, Ontario.....	1,150 kilocycles, 5.....	DA-2	U	III	Now in operation with revised daytime pattern.
New.....	Campbellton, New Brunswick..	1,230 kilocycles, 0.1.....	ND	U	IV	Apr. 4, 1953.
New.....	Fredericton, New Brunswick....	1,240 kilocycles, 0.25...	ND	U	IV	Do.
New.....	St. Georges, Newfoundland.....	1,350 kilocycles 1.....	ND	U	III	Do.
CJEM....	Edmundston, New Brunswick..	1,380 kilocycles, 1.....	DA-1	U	III	Now in operation.
New.....	Moncton, New Brunswick.....	1,480 kilocycles, 1.....	DA-1	U	III	Apr. 4, 1953.
CBAM...	Edmundston, New Brunswick..	1,490 kilocycles, 0.1.....	ND	U	IV	Do.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-4705; Filed, Apr. 25, 1952; 8:55 a. m.]

[Mexican Change List No. 141]

MEXICAN BROADCAST STATIONS

LIST OF CHANGES, PROPOSED CHANGES, AND CORRECTIONS IN ASSIGNMENTS

JANUARY 29, 1952.

Notification under the provisions of Part III, section 2, of the North American Regional Broadcasting Agreement.

List of changes, proposed changes, and corrections in assignments of Mexican Broadcast Stations modifying appendix containing assignments of Mexican Broadcast Stations (Mimeograph 47214-6) attached to the recommendations of the North American Regional Broadcasting Agreement Engineering Meeting, January 30, 1941.

MEXICO

Call letters	Location	Power	Schedule	Class	Probable date to commence operation
XEFD....	Rio Bravo, Tamaulipas (increase in power; previously, 1 kw.	1170 kilocycles, 2 kw...	D	II	Apr. 30, 1952.
XEBP....	Torreon, Coahuila (increase in daytime power).	1310 kilocycles, 250 w-N/10 kw-D.	D-U	IV	Do.
XEKJ....	Acapulco, Guerrero (increase in daytime power).	1400 kilocycles, 250 w-N/1 kw-D.	D-U	IV	Do.
XELL....	Veracruz, Veracruz (increase in daytime power).	1430 kilocycles, 250 w-N/5 kw-D.	D-U	IV	Do.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-4706; Filed, Apr. 25, 1952; 8:55 a. m.]

[Mexican Change List No. 142]

MEXICAN BROADCAST STATIONS

LIST OF CHANGES, PROPOSED CHANGES, AND CORRECTIONS IN ASSIGNMENTS

FEBRUARY 9, 1952.

Notification under the provisions of Part III, section 2, of the North American Regional Broadcasting Agreement.

List of changes, proposed changes, and corrections in assignments of Mexican Broadcast Stations modifying appendix containing assignments of Mexican Broadcast Stations (Mimeograph 47214–6) attached to the recommendations of the North American Regional Broadcasting Agreement Engineering Meeting, January 30, 1941.

MEXICO

Call letters	Location	Power	Schedule	Class	Probable date to commence operation
XEGO	Progreso, Yucatan	620 kilocycles, 5 kw DA (day and night).	U	III-A	Apr. 30, 1952.
XEOM	Coatzacoalcos, Veracruz	1340 kilocycles, 250 w-N/1 kw-D.	D-U	IV	Do.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-4707; Filed, Apr. 25, 1952; 8:56 a. m.]

[Mexican Change List No. 143]

MEXICAN BROADCAST STATIONS

LIST OF CHANGES, PROPOSED CHANGES, AND CORRECTIONS IN ASSIGNMENTS

FEBRUARY 21, 1952.

Notification under the provisions of Part III, section 2, of the North American Regional Broadcasting Agreement.

List of changes, proposed changes, and corrections in assignments of Mexican Broadcast Stations modifying appendix containing assignments of Mexican Broadcast Stations (Mimeograph 47214–6) attached to the recommendations of the North American Regional Broadcasting Agreement Engineering Meeting, January 30, 1941.

MEXICO

Call letters	Location	Power	Schedule	Class	Probable date to commence operation
XEGH	Reynosa, Tamaulipas (reduction in power).	620 kilocycles, 250 w	D	IV	Aug. 15, 1952.
XEHX	Hautabampo, Sonora (delete assignment).	1450 kilocycles, 250 w	U	IV	
XEHX	C. Obregon, Sonora	1460 kilocycles, 250 w	U	IV	May 30, 1952.
XERX	Salamanca, Guanajuato (increase in daytime power and operation at night).	1560 kilocycles, 250 w-N/1 kw-D.	U	II	Feb. 29, 1952.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-4708; Filed, Apr. 25, 1952; 8:56 a. m.]

[Mexican Change List No. 144]

MEXICAN BROADCAST STATIONS

LIST OF CHANGES, PROPOSED CHANGES, AND CORRECTIONS IN ASSIGNMENTS

MARCH 11, 1952.

Notification under the provisions of Part III, section 2, of the North American Regional Broadcasting Agreement.

List of changes, proposed changes, and corrections in assignments of Mexican Broadcast Stations modifying appendix containing assignments of Mexican Broadcast Stations (Mimeograph 47214–6) attached to the recommendations of the North American Regional Broadcasting Agreement Engineering Meeting, January 30, 1941.

MEXICO

Call letters	Location	Power	Schedule	Class	Probable date to commence operation
XECS	Manzanillo, Colima (change in call letters from XECM).	1400 kilocycles, 250 w	U	IV	
XECM	Ciudad Mante, Tamaulipas (change in call letters from XECS).	1450 kilocycles, 250 w	U	IV	
XEGP	Morelia, Michoacan	1580 kilocycles, 500 w	D	III-B	Aug. 31, 1952.
XEGQ	Monterrey, Neuvo Leon	1500 kilocycles, 5 kw DA-N.	U	III-B	Do.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-4709; Filed, Apr. 25, 1952; 8:56 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1277]

TRANSCONTINENTAL GAS PIPE LINE CORP.

NOTICE OF ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

APRIL 22, 1952.

Notice is hereby given that on April 21, 1952, the Federal Power Commission issued its order entered April 17, 1952, amending order (15 F. R. 2695) issuing a certificate of public convenience and necessity in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-4686; Filed, Apr. 25, 1952; 8:49 a. m.]

[Docket Nos. G-1710, G-1842]

TRANSCONTINENTAL GAS PIPE LINE CORP.

ORDER GRANTING EXTENSION OF TIME FOR FILING BRIEFS AND POSTPONING DATE OF ORAL ARGUMENT

APRIL 22, 1952.

By order dated April 15, 1952, in the above-numbered proceeding, the Commission set for oral argument on April 24, 1952, the motion filed by staff counsel on April 9, 1952, for an order disallowing the increased rates and charges proposed by Transcontinental Gas Pipe Line Corporation (Transcontinental) and suspended by order issued November 29, 1951, and dismissing the proceeding. By the same order the Commission affirmed the ruling of the Presiding Examiner that simultaneous briefs be filed on April 23, 1952.

By motion filed on April 18, 1952, Transcontinental requested postponement of the date for filing briefs and for date of oral argument before the Commission, and stipulated that if the motion were granted it would not move that the proposed increased rates be put into effect under bond earlier than June 1, 1952.

Counsel for Brooklyn Borough Gas Company and Kings County Lighting Company by telegrams received on April 21, 1952, oppose any extension of time either with respect to the date for filing briefs or for oral argument before the Commission.

Counsel for Consolidated Edison Company of New York (Consolidated) has by telegram indicated that Consolidated does not object to the postponement of the date for filing briefs and oral argument, if the extension of time is granted upon the express condition that Transcontinental will not move to make the increased rates effective prior to June 1, 1952.

The Commission finds: On the basis of the definite commitment by Transcontinental that if granted the extension of time requested for filing of briefs and postponement of date of argument, it will not move to put into effect under bond the proposed increased rates which were suspended by order issued November 29, 1951, prior to June 1, 1952, it is

reasonable and in the public interest to extend the time for filing briefs in support of, or in opposition to, the motion to dismiss and to postpone the date for oral argument, as hereinafter ordered.

The Commission orders:

(A) Upon the express condition stipulated by Transcontinental Gas Pipe Line Corporation in its motion filed on April 18, 1952, for extension of time for filing briefs and for postponement of date of oral argument, that it will not move to put into effect under bond the proposed increased rates which were suspended by order issued November 29, 1951, prior to June 1, 1952, oral argument on the motion to dismiss heretofore set for April 24, 1952, be and the same is hereby postponed until May 16, 1952, at 10:00 a. m., e. d. s. t., in the Hearing Room of the Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.

(B) The date heretofore fixed for the filing of briefs in support of, and in opposition to, said motion be and the same is hereby extended to May 7, 1952.

(C) Those parties to this proceeding who intend to participate in the oral argument shall notify the Secretary of the Commission on or before May 8, 1952, of such intention and of the time requested for presentation of their argument.

Date of issuance: April 22, 1952.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-4685; Filed, Apr. 25, 1952; 8:48 a. m.]

[Docket No. G-1810]

TEXAS-OHIO GAS CO.

NOTICE OF ORDER ADJOURNING HEARING

APRIL 22, 1952.

Notice is hereby given that on April 17, 1952, the Federal Power Commission issued its order entered April 17, 1952, in the above-entitled matter, adjourning hearing until further order of the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-4687; Filed, Apr. 25, 1952; 8:49 a. m.]

FEDERAL TRADE COMMISSION

[File No. 21-440]

ATHLETIC GOODS INDUSTRY

NOTICE OF REGIONAL TRADE PRACTICE CONFERENCE

Notice is hereby given that a regional (West Coast and Rocky Mountain States) trade practice conference for the Athletic Goods Industry will be held by the Federal Trade Commission in Rodger Young Auditorium, 936 West Washington Boulevard, Los Angeles, California, on May 19, 1952, commencing at 9 a. m., p. s. t. (10 a. m., d. s. t.). A representative of the Federal Trade Commission will preside.

All persons, firms, corporations, and organizations engaged in the business of manufacturing, distributing or marketing athletic goods, and particularly those so engaged in the States of Washington, Oregon, California, Montana, Idaho, Nevada, Utah, Wyoming, Arizona, Colorado, and New Mexico, are cordially invited to attend or be represented at said regional conference and to take part in the proceedings.

The regional conference on May 19, 1952, which is to be followed by an industry-wide national conference to be held later at a centrally located point (probably Chicago), will be directed toward the eventual establishment and promulgation by the Commission of trade practice rules for the industry under which unfair methods of competition, unfair or deceptive acts or practices, and other trade abuses, may be eliminated and prevented.

Issued: April 23, 1952.

By direction of the Commission.

[SEAL] D. C. DANIEL, *Secretary.*

[F. R. Doc. 52-4738; Filed, Apr. 25, 1952; 8:58 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26988]

RUBBER TIRES FROM POINTS IN ALABAMA AND TENNESSEE, TO FAIR LAWN, N. J.

APPLICATION FOR RELIEF

APRIL 22, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 1193.

Commodities involved: Tires, artificial, guayule, natural, neoprene, or synthetic, rubber, pneumatic and parts, carloads.

From: Gadsden, Robbins, Tuscaloosa, Birmingham, and North Birmingham, Ala., and Memphis, Tenn.

To: Fair Lawn, N. J.

Grounds for relief: Rail competition, circuitous routes, and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 1193, Supp. 52.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-4648; Filed, Apr. 24, 1952; 8:48 a. m.]

[4th Sec. Application 26989]

FOREIGN WOODS FROM LANDRUM, S. C., TO CENTRAL AND ILLINOIS TERRITORIES

APPLICATION FOR RELIEF

APRIL 22, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 1238.

Commodities involved: Lumber, logs or flitches of foreign woods, built-up woods and veneer, carloads.

From: Landrum, S. C.

To: Central and Illinois territories.

Grounds for relief: Competition with rail carriers, circuitous routes, and to maintain grouping.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 1238, Supp. 11.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-4647; Filed, Apr. 24, 1952; 8:47 a. m.]

[4th Sec. Application 26987]

PIG IRON FROM DAINGERFIELD, LONE STAR AND MCCROSSIN, TEX. TO MT. VERNON, OHIO

APPLICATION FOR RELIEF

APRIL 22, 1952.

The Commission is in receipt of the above-entitled and numbered applica-

tion for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to his tariff I. C. C. No. 3960.

Commodities involved: Pig iron, carloads.

From: Daingerfield, Lone Star, and McCrossin, Tex.

To: Mount Vernon, Ohio.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: F. C. Kratzmeir's tariff I. C. C. No. 3960, Supp. 14.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-4646; Filed, Apr. 24, 1952; 8:47 a. m.]

OFFICE OF DEFENSE MOBILIZATION

[CDHA No. 48]

FINDING AND DETERMINATION OF CRITICAL DEFENSE HOUSING AREAS UNDER DEFENSE HOUSING AND COMMUNITY FACILITIES AND SERVICES ACT OF 1951

APRIL 24, 1952.

Upon a review of the construction of new defense plants and installations, and the reactivation or expansion of operations of existing defense plants and installations, and the in-migration of defense workers or military personnel to carry out activities at such plants or installations, and the availability of housing and community facilities and services for such defense workers and military personnel in each of the areas set forth below, I find that all of the conditions set forth in section 101 (b) of the Defense Housing and Community Facilities and Services Act of 1951 (Pub. Law 139, 82d Cong., 1st sess.) exist.

Accordingly, pursuant to section 101 of the Defense Housing and Community Facilities and Services Act of 1951, and by virtue of the authority vested in me by paragraph number 1 of Executive Order 10296 of October 2, 1951, I hereby determine that each of said areas is a critical defense housing area.

Ely, Nevada, Area. (The area consists of Ely Township, White Pine County, Nevada.)

Ephrata-Moses Lake, Washington. (The area consists of Census Divisions 6, 7, 10, 11, and 12 in Grant County, Washington.)

JOHN R. STEELMAN, *Acting Director of Defense Mobilization.*

[F. R. Doc. 52-4769; Filed, Apr. 24, 1952; 3:27 p. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-2886]

COMMONWEALTH INVESTMENT CO.

NOTICE OF APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION, AND OF OPPORTUNITY FOR HEARING

APRIL 22, 1952.

Commonwealth Investment Company, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, has made application to withdraw its $1 Par Value Common Capital Stock from registration and listing on the Board of Trade of the City of Chicago.

The application for withdrawal alleges the following:

(1) Applicant is registered as a diversified open-end management investment company under section 8 (a) of the Investment Company Act of 1940.

(2) Continuance of the listing and registration of the above security on the Board of Trade of the City of Chicago is deemed to be inadvisable because of the lack of trading thereon, due to existing restrictive provisions of the Investment Company Act of 1940 and the rules of the National Association of Securities Dealers.

(3) Said provisions and rules make improbable the possibility of any future increase in exchange trading in this security.

Upon receipt of a request, prior to May 19, 1952, from any interested person for a hearing in regard to terms to be imposed upon the delisting of this security, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person requesting the hearing and the position he proposes to take at the hearing with respect to imposition of terms or conditions. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to the matter.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 52-4680; Filed, Apr. 25, 1952; 8:48 a. m.]

[File Nos. 54-139, 59-12]

ELECTRIC POWER & LIGHT CORP. ET AL.

ORDER DIRECTING PAYMENT OF FINAL ALLOWANCES OF FEES AND EXPENSES

APRIL 21, 1952.

In the matter of Electric Power & Light Corporation, File No. 54-139; Electric Bond and Share Company, Electric Power & Light Corporation, et al. respondents, File No. 59-12.

Electric Power & Light Corporation ("Electric"), formerly a registered holding company and a subsidiary of Electric Bond and Share Company ("Bond and Share"), also a registered holding company, having heretofore filed a plan and amendments thereto for compliance with section 11 (b) of the Public Utility Holding Company Act of 1935, pursuant to section 11 (e) of the act, and the Commission having entered its findings and opinion and order approving said plan, as amended (Holding Company Act Release Nos. 8889 and 8906 March 1, 1949, and March 7, 1949, respectively), and said plan, as amended, having provided that Electric would pay such fees and expenses as the Commission should find appropriate, subject to the right of Electric to seek judicial review of any such order, and said plan having since been consummated and carried out in accordance with its terms; and

The Commission having, by said Order of March 7, 1949, reserved jurisdiction to determine the reasonableness and appropriate allocation of all fees, expenses and other remuneration incurred in connection with said plan, as amended; and

Applications for allowances for fees and reimbursements for expenses having been filed, a public hearing having been held, the Commission having on December 22, 1950 issued an Interim Order (Holding Company Act Release No. 10310) permitting Electric to make certain payments with respect to fees and reimbursement of expenses; and

The Commission having considered the record and having this day filed its findings and opinion herein; on the basis of said findings and opinion:

It is ordered, That the payment by Electric of the following fees and disbursements, less such amounts as have heretofore been paid, be, and hereby is, approved, and Electric be, and hereby is, directed to make payment of such amounts herein authorized as have not already been paid.

	Fees	Expenses
Cahill, Gordon, Zachry & Reindel	$207,700.00	$9,976.53
John Jirgal	72,000.00	19,865.51
Reid & Priest	3,500.00	
Guaranty Trust Co. of New York	61,547.54	7,769.16
Percival E. Jackson	140,000.00	7,726.71
C. Perry King	2,000.00	
Whiteborn & Cowin and Buchman and Buchman	22,500.00	1,170.53
Nathan B. Kogan, Samuel M. Koenigsberg, and Victor Brudney	9,500.00	2,016.75
Martin W. Davenport	1,000.00	20.62
Burns, Blake & Rich	9,500.00	2,770.06
Johnson-Biewend, common stockholders committee		8,612.89

It is further ordered, That the applications of Israel Beckhardt; Spence, Hotchkiss, Parker & Duryee; and P. Harold Peterson be, and the same hereby are, denied, and that the application of the Johnson-Biewend Committee for reimbursement of disbursements made by way of fees to the firm of Becker, Berman & Odell in the amount of $5,000, and to P. Harold Peterson in the amount of $2,734.58 be, and the same hereby is, denied.

It is further ordered, That the application of Bond and Share for reimbursement from Electric for expenses incurred by Bond and Share in the reorganization proceedings of Electric be, and the same hereby is, denied, and that in so far as any claimants for services rendered to Bond and Share make claim against Electric for such services such applications be, and the same hereby are, denied.

It is further ordered, That payment by Bond and Share of the following fees and disbursements be, and the same hereby is, approved and Bond and Share be, and hereby is, directed to make payment of such amounts herein authorized as have not already been paid.

	Fees	Expenses
Reid & Priest	$65,000.00	$4,320.00
Simpson Thacher & Bartlett	35,000.00	3,362.22
Drexel & Co. (Edward Hopkinson, Jr.)	50,000.00	----------
Ebasco Services, Inc.	79,087.02	----------
Ralph E. Davis	11,250.00	1,271.19
Benjamin T. Brooks	700.13	----------

It is further ordered, That to the extent the applications herein exceed the amounts approved as payment of fees and reimbursement of expenses, such applications be, and the same hereby are, denied.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 52-4679; Filed, Apr. 25, 1952; 8:47 a. m.]

[File No. 54-204]

PHILADELPHIA CO. AND DUQUESNE LIGHT CO.

NOTICE REGARDING PROPOSED SALE OF PARENT'S OFFICE BUILDING TO NON-AFFILIATE, LEASE THEREOF BY SUBSIDIARY, AND SALE OF COMMON STOCK BY SUBSIDIARY TO PARENT, AND ORDER FOR HEARING

APRIL 22, 1952.

Notice is hereby given that Philadelphia Company ("Philadelphia"), a registered holding company and a subsidiary of Standard Gas and Electric Company and Standard Power and Light Corporation, both registered holding companies, and Duquesne Light Company ("Duquesne"), a public utility subsidiary of Philadelphia, have filed an application, with an amendment thereto, under section 11 (e) of the act for approval of a plan of partial liquidation of Philadelphia.

By order dated June 1, 1948 (Holding Company Act Release No. 8242), this Commission pursuant to section 11 (b) (2) of the act directed that, among other things, Philadelphia take appropriate steps to liquidate and dissolve. The plan which has been filed is proposed as a step in compliance with said order.

Philadelphia owns certain real estate, known as the Central Building property, located at 435 Sixth Avenue, Pittsburgh, Pennsylvania, which it acquired from Equitable Real Estate Company, a former subsidiary of Philadelphia, by deed dated July 31, 1951, in connection with the liquidation of that company. (See Holding Company Act Release No. 10652.) The principal offices of Philadelphia and Duquesne are located in the Central Building. The property is subject to a mortgage, securing a debt presently amounting to $710,809.23, held by the Mellon National Bank and Trust Company ("Mellon"), of Pittsburgh, Pennsylvania. Central Building is carried on the books of Philadelphia at its depreciated original cost which, at March 31, 1951, amounted to $1,737,588.45. On June 13, 1950, the property was appraised as having a fair market value of $2,980,000.

Under the plan, as amended, Philadelphia proposes to sell the Central Building to Mellon for the sum of $3,000,000 in cash. Part of the proceeds will be used by Philadelphia to pay and discharge the mortgage on the property. After the sale, Mellon will execute and deliver to Duquesne, all of whose common stock is owned by Philadelphia, a lease of the entire property for a term of 35 years at a starting monthly rental of $15,940.12, such rental to be reduced $17.5879 each month thereafter throughout the 35-year term. The filing states that on this basis the average annual rental will be $147,065 or 4.902 percent of the purchase price. Philadelphia has agreed to pay a brokerage commission of 1 percent which amount was specified in the letter of Scott & McCune, real estate brokers, transmitting the Mellon bid. Under the contemplated lease arrangement it appears that Duquesne will maintain and operate the building and sublet a portion of it to nonaffiliated tenants.

The filing, in describing the method by which Mellon was selected as the purchaser of the property, states that Philadelphia requested five real estate brokers in the Pittsburgh area to canvass their clients for the purpose of securing for Philadelphia a purchaser for its Central Building who would be willing to lease such property to Duquesne under a long-term lease. The brokers were instructed to submit sealed proposals with respect to such purchase and leasing. Philadelphia states that bids were received from three brokers on behalf of five prospective purchasers, including Mellon. The Mellon bid was alternatively based on a fixed monthly rental payment or on a variable monthly rental payment. Philadelphia further states that it accepted the Mellon proposal of a variable monthly rental because it was the most satisfactory of all the bids received.

The plan, as amended, also provides that with treasury cash and the net proceeds remaining from the sale of the Central Building, Philadelphia will purchase from Duquesne 80,000 shares of the latter's common stock for a cash consideration of $30 per share, or an aggregate of $2,400,000. Applicants state that the proposed purchase price is not to be deemed as an indication of their opinion of the value of the Duquesne common stock and that such value need not be determined since Philadelphia is the owner of all the oustanding common stock of Duquesne.

It is also provided that such fees and expenses incurred in connection with the transactions covered by the plan, or the proceedings with respect thereto, as the Commission may award, allow or allocate shall be paid by Philadelphia, except that all fees and expenses incurred in connection with the lease of the Central Building property and the issuance and sale of common stock by Duquesne to Philadelphia shall be paid by Duquesne.

The applicants request that the Commission make the necessary findings and recitals in accordance with Supplement R and section 1808 (f) of the Internal Revenue Code, as amended, and that it issue its order herein in time to permit consummation of the plan by June 2, 1952.

The Commission being required, before approving any plan submitted under section 11 (e) of the act, to find after notice and opportunity for hearing that the plan as submitted, or as thereafter amended, is necessary to effectuate the provisions of section 11 (b) of the act and is fair and equitable to the persons affected thereby and that the other applicable sections of the act are satisfied; and

It appearing appropriate to the Commission that notice be given and a hearing be held upon said plan, as amended, to afford all interested persons an opportunity to be heard with respect thereto:

It is ordered, That a hearing on said plan, as amended, be held on May 14, 1952, at 10:00 a. m., at the offices of the Commission, 425 Second Street NW., Washington 25, D. C. On such date, the Hearing Room Clerk in Room 193 will advise as to the room in which such hearing will be held. Any person desiring to be heard or otherwise wishing to participate in the proceedings, is directed to file with the Secretary of the Commission on or before May 12, 1952, a written request relative thereto as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That Edward C. Johnson or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matter. The officer so designated is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a hearing officer under the Commission's rules of practice.

The Division of Public Utilities of the Commission having advised the Commission that it has made a preliminary examination of the plan, as amended, and that, upon the basis thereof, the following matters and questions are presented for consideration without prejudice to its specifying additional matters and questions upon further examination:

(1) Whether the plan, as submitted or as it may be further amended, is necessary to effectuate the provisions of section 11 (b) of the act;

(2) Whether the plan, as submitted or as it may be further amended, is fair and equitable to the persons affected thereby, including the security holders of Philadelphia and Duquesne;

(3) Whether competitive conditions were properly maintained with respect to the proposed sale and lease of the Central Building property;

(4) Whether the proposal submitted by Mellon is the most satisfactory of all the bids submitted;

(5) Whether the proposed purchase price, rental payments and other terms of the Mellon bid are fair and reasonable;

(6) Whether the proposed lease to Duquesne meets the standards of the applicable sections of the act, and particularly sections 9 (a) and 10;

(7) Whether and to what extent the plan, as submitted or as it may be further amended, should be modified, or terms and conditions imposed, to ensure adequate protection of the public interest and the interest of investors and consumers, and to prevent the circumvention of the act and the rules and regulations thereunder;

(8) Whether the accounting entries in connection with the proposed transactions are appropriate and in accordance with sound accounting principles;

(9) Whether the fees, expenses, or other remuneration to be paid in connection with the proposed transactions are for necessary services, are reasonable in amount and have been properly allocated between Philadelphia and Duquesne;

(10) Generally, whether the transactions proposed in such plan, as amended, comply with the requirements of the applicable provisions of the act and the rules and regulations promulgated thereunder;

It is further ordered, That particular attention be directed at said hearing to the foregoing matters and questions.

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing copies of this notice and order by registered mail to Philadelphia, Duquesne, Mellon, Thomas S. Christo, Scott & McCune, Donovan Company, Norman Barnes, Barnes Investing Corporation, the Federal Power Commission and the Public Utility Commission of Pennsylvania; that notice shall be given to all other persons by general release of this Commission which shall be distributed to the press and mailed to the persons on the mailing list of this Commission for releases under the act, and that further notice be given to all persons by publication of this notice and order in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 52-4681; Filed, Apr. 25, 1952; 8:48 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

[Vesting Order 18840]

JAPAN

In re: Funds owned by Japan.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the property described as follows: Those certain funds held for the account of the Department of State, Washington, D. C., with the Department of Public Works of the Territory of Hawaii at Honolulu, and representing the proceeds of rents collected from various non-official tenants of the buildings of the Japanese Consulate General at Honolulu, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, a designated enemy country (Japan);

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 22, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-4693; Filed, Apr. 25, 1952; 8:51 a. m.]

[Vesting Order 18839]

ZENICHI HARADA

In re: Stock owned by Zenichi Harada, F-39-6419-D-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Zenichi Harada, who there is reasonable cause to believe, is a resident of Japan, is a national of a designated enemy country (Japan);

2. That the property described as follows: One and five-tenths (1.5) shares of $10.00 par value common stock of Cities Service Company, 60 Wall Street, New York 5, New York, a corporation organized under the laws of the State of Delaware, evidenced by a certificate numbered FL 53343, for fifteen (15) shares of common no par value stock of the aforesaid Company, registered in the name of Zenichi Harada, together with all declared and unpaid dividends thereon, and any and all rights to exchange said certificate for a new certificate for $10.00 par value stock of the aforesaid Company,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Zenichi Harada, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 22, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-4692; Filed, Apr. 25, 1952; 8:50 a. m.]

[Vesting Order 18841]

SHIGERU SAKAI ET AL.

In re: Cash owned by Shigeru Sakai, and others. D-39-301.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Dr. Eugene Haban and Shigeru Sakai, each of whose last known address is Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That Kigyo Toa Co. and Wing Dah Trading Co., are corporations, partnerships, associations or other business organizations who there is reasonable cause to believe are organized under the laws of Japan and have or, since the effective date of Executive Order 8389, as amended, have had their principal places of business in Japan, and are nationals of a designated enemy country (Japan);

3. That Sataro Fujibayashi, also known as Sarto Fujibyashi, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

4. That the property described as follows: Cash in the total amount of $1,352.89 presently in the custody of the Attorney General of the United States in accounts in the names of the persons listed as owners on Exhibit A, attached hereto and by reference made a part hereof, numbered and in the amount set forth opposite each such name,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the persons referred to in subparagraphs 1 and 2 hereof, the aforesaid nationals of a designated enemy country (Japan);

5. That the property described as follows: Cash in the amount of $85.97 presently in the custody of the Attorney General of the United States in an account in the name of Obi Company, Inc. (now dissolved), account number 39200243,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Sataro Fujibayashi, also known as Sarto Fujibyashi, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

6. That to the extent that the persons referred to in subparagraphs 1, 2 and 3 hereof, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 22, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Name of owner	Account No.	Amount	Office of Alien Property file No.
Dr. Eugene Haban	39200140	$619.37	
Kigyo Tou Co.	39200242	31.95	D-39-15307.
Wing Dah Trading Co.	39200247	690.23	F-39-1564-C-1; C-2.
Shigeru Sakai	39200420	11.34	

[F. R. Doc. 52-4694; Filed, Apr. 25, 1952; 8:51 a. m.]

[Vesting Order 18842]

FRANK T. SAKANASHI

In re: Securities owned by and debt owing to Frank T. Sakanashi, also known as Taikichi Sakanashi. D-39-1125-A-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Frank T. Sakanashi, also known as Taikichi Sakanashi, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows:

a. One Hundred Two (102) shares of stock of Ohio Edison Company, evidenced by a certificate or certificates in the custody of E. F. Hutton & Company, 61 Broadway, New York 6, New York, and held for the account of Frank T. Sakanashi, together with all declared and unpaid dividends thereon,

b. Five Hundred Ninety-Five (595) shares of stock of Southern Company, evidenced by a certificate or certificates in the custody of E. F. Hutton & Company, 61 Broadway, New York 6, New York, and held for the account of Frank T. Sakanashi, together with all declared and unpaid dividends thereon,

c. One (1) share of stock of International Combustion & Engineering Co., evidenced by a certificate numbered 088190, registered in the name of Dyer Hudson & Co., and presently in the custody of E. F. Hutton & Company, 61 Broadway, New York 6, New York, for the account of Frank T. Sakanashi, together with all declared and unpaid dividends thereon, and

d. That certain debt or other obligation of E. F. Hutton & Company, 61 Broadway, New York 6, New York, in the amount of $1,759.09, as of March 31, 1952, held for the account of Frank T. Sakanashi, together with any and all accruals to the aforesaid debt or other obligation, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Frank T. Sakanashi, also known as Taikichi Sakanashi, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 22, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-4695; Filed, Apr. 25, 1952; 8:52 a. m.]

[Vesting Order 18843]

H. YAMANOUCHI, ET AL.

In re: Debts owing to, cash and securities and personal property owned by H. Yamanouchi also known as Hideo Yamanouchi and others. D-39-7818, F-39-6371, D-39-17311, F-39-1581, D-39-1386.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the persons who own the property described in subparagraphs 4 (a) and (b) hereof, who, if individuals there is reasonable cause to believe are residents of Japan and, which if corporations, partnerships, associations or other business organizations there is reasonable cause to believe are organized under the laws of and have or on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in Japan, are nationals of a designated enemy country (Japan);

2. That the persons whose names and last known addresses are listed below:

H. Yamanouchi, also known as Hideo Yamanouchi, Japan,
T. Hiroshima, Japan,
Fred Mitsuzo Murakoshi, Japan,
Kikuyo Tanaka, also known as Kikuzo Tanaka, Japan,

are residents of Japan and nationals of a designated enemy country (Japan);

3. That H. Yonemoto, also known as Haruo Yonemoto, who there is reasonable cause to believe is a resident of Japan, is a national of a designated enemy country (Japan);

4. That the property described as follows:

a. One White Metal Roberts Watch presently in the custody of the Attorney General of the United States in an account entitled Japanese Association, Inc., Unknown Owner A, numbered 39200018, and owned by the persons referred to in subparagraph 1 hereof,

b. Cash in the amounts listed below in the custody of the Attorney General of the United States in accounts in the names and numbered as set forth opposite each such amount:

$17.68	Nippon Club, Inc., Various Unknown Members or Other Owners.	39200134
$21.40	Cotton Export Trading Co., Inc.	39200357

said cash owned by the persons referred to in subparagraph 1 hereof,

c. That certain debt or other obligation evidenced by a Promissory Note, executed October 1, 1938, by B. W. Thomas in the amount of $10,000 payable on demand, 6 percent interest, presently in the custody of the Attorney General of the United States in an account in the name of Hideo Yamanouchi, numbered 39200011, and owned by said H. Yamanouchi, also known as Hideo Yamanouchi, together with any and all accruals to the aforesaid debt or other obligation and any and all rights to demand, enforce and collect the same, and any and all rights in, to, and under said Promissory note,

d. One Certificate of Interest issued by Hydewood Gold Club, Inc., presently in the custody of the Attorney General of the United States, in an account in the name of T. Hiroshima, numbered 39200137 and owned by said T. Hiroshima, together with any and all rights thereunder and thereto,

e. Those certain shares of stock evidenced by the certificates described in Exhibit A, attached hereto and by reference made a part hereof, presently in the custody of the Attorney General of the United States in an account in the name of Fred Mitsuzo Murakoshi, account numbered 39200285, owned by said Fred Mitsuzo Murakoshi, together with all declared and unpaid dividends thereon,

f. One-half interest in those certain Certificates of Deposit of the Yokohama Specie Bank, Ltd., San Francisco, in the face amount of 13,868.55 yen, said certificates presently in the custody of the Attorney General of the United States in an account in the name of Kikuyo Tanaka, numbered 66200375 and owned by Kikuyo Tanaka, also known as Kikuzo Tanaka, and any and all rights thereunder and thereto, and

g. That certain debt or other obligation evidenced by a check drawn by The National City Bank of New York, numbered 24987, dated October 9, 1939, payable to H. Yonemoto in the amount of $25.28, presently in the custody of the Attorney General of the United States in account numbered 039200311, and owned by said H. Yonemoto, also known as Haruo Yonemoto, together with any and all accruals thereto and any and all rights to demand, enforce and collect the same, and any and all rights in, to and under said check,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

5. That to the extent that the persons referred to in subparagraphs 1, 2 and 3 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 22, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Name of issuer	Number of shares	Par value	Certificate Nos.
South Manchurian Ry. Co., Ltd.	100	Yen 50	[1] 019633, [1] 019634, [1] 019635, [1] 019636, [1] 014418, [1] 014419, [1] 014420, [1] 014421, [1] 014422, [1] 063512
Manchuria Chemical Industry Co., Ltd.	100	50	[2] 0638, [2] 0192
Japan Steel Manufacturing Co., Ltd.	100	50	[2] 3786, [2] 21377
Manchurian Electrical Industries Co., Ltd.	100	50	[1] 6272, [1] 6273, [1] 6274, [1] 6275, [1] 6276, [1] 6277, [1] 6278, [1] 6279, [1] 6280, [1] 6281

[1] At 10 shares each. [2] At 50 shares each.

[F. R. Doc. 52-4696; Filed, Apr. 25, 1952; 8:52 a. m.]

[Supplemental Vesting Order 18844]

AGNES O. E. AMSLER

In re: Estate of Agnes O. E. Amsler or Ansler, deceased. File No. D-28-13047.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40); Public Law 181, 82d Congress, 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR, 1943 Cum. Supp.; 3 CFR, 1945 Supp.); Executive Order 9788 (3 CFR, 1946 Supp.) and Executive Order 9989 (3 CFR, 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That Agnes Heuer, whose last known address is Germany, on or since December 11, 1941, and prior to January 1, 1947 was a resident of Germany and is, and prior to January 1, 1947 was, a national of a designated enemy country (Germany);

2. That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Agnes Heuer in and to the Estate of Agnes O. E. Amsler, deceased, is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Agnes Heuer, the aforesaid national of a designated enemy country (Germany);

3. That such property is in the process of administration by Hyman Wank, as administrator, acting under the judicial supervision of the Surrogate's Court of Kings County, New York;

and it is hereby determined:

4. That the national interest of the United States requires that such person be treated as a person who is and prior to January 1, 1947, was a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 22, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-4697; Filed, Apr. 25, 1952; 8:53 a. m.]

[Vesting Order 18845]

SOSSE SCHMIELAU

In re: Estate of Sosse Schmielau, deceased. File No. D-28-795: E. T. sec. 17193.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40); Public Law 181, 82d Congress, 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR, 1943 Cum. Supp.; 3 CFR, 1945 Supp.); Executive Order 9788 (3 CFR, 1946 Supp.) and Executive Order 9989 (3 CFR, 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That Paul Nissen, Paul Emke, Marie August, nee Nissen, Dorothea Schoewing, nee Schmielau, Sina Friedrichsen, Anna Friedrichsen and Christian Friedrichsen, whose last known address is Germany, on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany and are and prior to January 1, 1947 were nationals of a designated enemy country (Germany);

2. That the heirs at law, next-of-kin, and personal representatives, names unknown, of Jenny Friedrichsen, deceased, who there is reasonable cause to believe are and on or since December 11, 1941 and prior to January 1, 1947 were residents of Germany, are and prior to January 1, 1947 were nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the Estate of Sosse Schmielau, deceased, is property which is and prior to January 1, 1947 was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the aforesaid nationals of a designated enemy country (Germany);

4. That such property is in the process of administration by the Commissioner of Finance of Westchester County, New York, as depositary, acting under the judicial supervision of the Surrogate's Court, Westchester County, New York;

and it is hereby determined:

5. That the national interest of the United States requires that the persons named in subparagraph 1 hereof and the heirs at law, next-of-kin, and personal representatives, names unknown, of Jenny Friedrichsen, deceased, be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 22, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-4698; Filed, Apr. 25, 1952; 8:53 a. m.]

[Vesting Order 18846]

PAULA SCHNEIDER

In re: Bond owned by Paula Schneider. F-28-31861.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40); Public Law 181, 82d Congress, 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR, 1943 Cum. Supp.; 3 CFR, 1945 Supp.); Executive Order 9788 (3 CFR, 1946 Supp.) and Executive Order 9989 (3 CFR, 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That Paula Schneider, whose last known address is 21 Etzelberg, Brilon/Westph., Germany, on or since December 11, 1941, and prior to January 1, 1947 was a resident of Germany and is, and prior to January 1, 1947 was, a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation matured or unmatured evidenced by One (1) 4 Percent Missouri Pacific Railroad Company Gold bond, due 1975, of $1,000.00 face value and numbered M15533, together with any and all accruals to the aforesaid debt or other obligation, and any and all rights to demand, enforce and collect the same, and any and all rights in and under said bond,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Paula Schneider, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That the national interest of the United States requires that the person referred to in subparagraph 1 hereof be treated as a person who is and prior to January 1, 1947, was a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 22, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-4699; Filed, Apr. 25, 1952; 8:53 a. m.]

[Vesting Order 18847]

TAIWAN BAKUCHIKU KAISHA, LTD.

In re: Debt owing to Taiwan Bakuchiku Kaisha, Ltd. F-39-1700.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Taiwan Bakuchiku Kaisha, Ltd., the last known address of which is Taihoku, Japan, is a corporation, partnership, association or other business organization, organized under the laws of Japan, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Japan, and is a national of a designated enemy country (Japan)

2. That the property described as follows: That certain debt or other obligation of Hitt Flashcracka Company, 5224 37th Avenue South, Seattle, Washington, arising out of outstanding accounts payable to Taiwan Bakuchiku Kaisha, Ltd., on the books of the aforesaid Hitt Flashcracka Company, and evidenced by two (2) bills of exchange, dated November 17, 1937, numbered 208 and 209, in the principal sums of $1,000 and yen 11,378.16, respectively and presently in the custody of the Attorney General of the United States and any and all rights to demand, enforce and collect the aforesaid debt or other obligation, and any and all accruals thereto together with any and all right in, to, and under said bills of exchange,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 23, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-4700; Filed, Apr. 25, 1952; 8:54 a. m.]

[Vesting Order 18371, Amdt. 1]

SOPHIE REINAU ET AL.

Correction

In F. R. Doc. 4467, appearing at page 3569 of the issue for April 22, 1952, "1871" in the bracket heading should be "18371", so that the heading now reads as set forth above.

[Vesting Order 18848]

MRS. MISAO YAMAWAKI ET AL.

In re: Rights of Mrs. Misao Yamawaki et al. under an insuranee contract. File No. F-39-7068-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Misao Yamawaki, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the domiciliary personal representatives, heirs-at-law, next of kin, legatees and distributees, names unknown, of Masayasu Yamawaki, deceased, including but not by way of limitation, Masanori Yamawaki, Masaomi Yamawaki, Masashi Yamawaki and Masao Yamawaki, who there is reasonable cause to believe are residents of Japan, are nationals of a designated enemy country (Japan);

3. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 240930 issued by the American National Insurance Company, Galveston, Texas, to Masayasu Yamawaki, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract of insurance except those of the aforesaid American National Insurance Company, together with the right to demand, enforce, receive and collect the same, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 and referred to in subparagraph 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 23, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-4701; Filed, Apr. 25, 1952; 8:54 a. m.]

[Vesting Order P-342, Amdt.]

TAISHO MARINE AND FIRE INSURANCE CO., LTD.

In re: Bonds and cash owned by Taisho Marine and Fire Insurance Co., Ltd.

Vesting Order P-342, executed August 29, 1947, is hereby amended as follows and not otherwise:

1. By deleting subparagraph 2 (a) from said Vesting Order P-342 and substituting therefor the following subparagraph:

2 (a) Six (6) 3½ percent Loan Bonds of the Imperial Government of Japan issued 1936 of ¥10,000 face value each, numbered 010845/50, and presently in the custody of the Treasurer of the Philippines as Insurance Commissioner Ex-Officio, Manila, Philippines, together with any and all rights thereunder and thereto,

2. By deleting subparagraph 2 (b) from said Vesting Order P-342 and substituting therefor the following subparagraph:

2 (b) Five (5) 3½ percent Loan Bonds of the Imperial Government of Japan issued 1936, of ¥1,000 face value each, numbered 025912/6, and presently in the custody of the Treasurer of the Philippines as Insurance Commissioner Ex-Officio, Manila, Philippines, together with any and all rights thereunder and thereto; and

All other provisions of said Vesting Order P-342, and all actions taken by or on behalf of the Attorney General of the United States and the Philippine Alien Property Administrator in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on April 22, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-4703; Filed, Apr. 25, 1952; 8:55 a. m.]

[Vesting Order 16190, Amdt.]

MASAYUKI TANAKA ET AL.

In re: Safe deposit lease and contents owned by Masayuki Tanaka, Kaiso Tanaka and Terue Tanaka.

Vesting Order 16190, dated December 5, 1950, is hereby amended as follows and not otherwise:

By deleting subparagraph 2 (b) from said Vesting Order 16190 and substituting therefor the following subparagraph:

2 (b) All property of any nature whatsoever owned by Masayuki Tanaka, Kaiso Tanaka and Terue Tanaka located in the safe deposit box referred to in subparagraph 2 (a) hereof, and any and all rights of said persons evidenced or represented thereby, including particularly but not limited to the following: Three (3) Tokyo Dento Kabushiki Kaisha (Tokyo Electric Light Co. Ltd.) First Mortgage Gold Bonds, 6 Percent Dollar Series due June 15, 1953 of $1,000 face value each numbered 13545/6 and 27218 of $1,000 face value each, together with any and all rights thereunder and thereto,

All other provisions of said Vesting Order 16190, and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on April 23, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General.
Director, Office of Alien Property.

[F. R. Doc. 52-4702; Filed, Apr. 25, 1952; 8:54 a. m.]